

# SCHISME G A R D E D,

*and beaten back upon the right owners.*

Shewing that our great controversy about Papall power is not a quæstion of faith, but of interest and profit, not with the Church of Rome, but with the Court of Rome, wherein the true Controversy doth consist, who were the first innovators, when and where these Papall innovations first began in England, with the opposition that was made against them.

By JOHN BRAMHALL  
D. D. Bishop of Derry.

Act. 25. 10.

*I stand at Cæsars judgmēt seate where I ought to be judged.*

Psalm. 19. 2.

*Dies dei eructat verbum, & nox nocti indicat scientiam.*

—S(o)—

GRAVENHAGH,

---

Imprinted by JOHN RAMZEY,  
*Anno M. DC. LVIII.*



RECEIVED BY JOHN R. HARRIS  
JAN 10 1964

To the  
CHRISTIAN READERS,

especially the  
Roman-Catholicks of England.

**C**hristian Reader, the great Bustling in the Controversy concerning Papall power or the discipline of the Church, hath been either about the true sense of some Texts of holy Scripture, As thou art Peter, and upon this rocke will I build my Church, and to thee will I give the Keies of the Kingdome of heaven, and feed my sheepe: Or about some privileges conferred upon the Roman See by the Canons of the Fathers and the Edicts of Emperours, but pretended by the Roman Court and the maintainers thereof to be held by divine right. I endeavour in this Treatise to disabuse thee, and to shew that this challenge of divine right, is but a Blind or Diversion to withhold thee from finding out the true State of the Question. So the Hare makes her doubles and her iumpes before she come to her Forme, to hinder Tracers from finding her out.

## To the Christian Readers.

*I demonstrate to thee, that the true controversy is not concerning St. Peter, we have no formed difference about St. Peter, nor about any point of faith, but of interest and profit, nor with the Church of Rome, but with the Court of Rome, and wherein it doth consist, namely in these questions; VVho shall conferre English Bishopricks, who shall convocate English Synods, who shall receive tenths and first frutes and Oathes of Allegiance and Fidelity, VVhether the Pope can make binding Lawes in England without the consent of the King and Kingdome, or dispense with English Lawes at his owne pleasure, or call English Subjects to Rome without the Princes leave, or set up Legantine Courtes in England against their wills. And this I shew not out of the opinions of Particular Authors, but out of the publick Lawes of the Kingdome.*

*I prove moreover out of our fundamentall Lawes and the writings of our best Historiographers, that all these branches of Papall power were abuses and innovations and usurpations, first attempted to be introduced into England above eleven hundred yeares after Christ, with*

*the*

## To the Christian Readers.

the names of the Innovators, and the precise time when each innovation began, and the opposition that was made against it, by our Kings, by our Bishops, by our Peeres, by our Parliaments, with the groanes of the Kingdome under these Papall innovations and extortions.

Likewise in point of doctrine, thou hast been instructed that the Catholick faith doth comprehend all those points which are controverted betweene us and the Church of Rome, without the expresse believe whereof no Christian can be saved: whereas in truth all these are but opinions, yet some more dangerous then others. If none of them had ever bene started in the world, there is sufficient to salvation for points to be believed in the Apostles Creed. Into this Apostolicall faith professed in the Creed, and explicated by the foure first Generall Councils, and onely into this faith, we have all been baptised. Farre be it from us to imagine, that the Catholick Church hath evermore baptised, and doth still baptise but into one half of the Christian faith.

In summe dost thou desire to live in the Communion of the true Catholick Church? So do I.

## To the Christian Readers.

*But as I dare not change the cognisance of my Christianity, that is my Creed, nor enlarge the Christian faith (I mean the essentialls of it) beyond those bounds which the Apostles have set: So I dare not (to serve the interest of the Roman Court,) limit the Catholick Church, which Christ hath purchased with his blood, to a fourth or a fifth part of the Christian world.*

*Thou art for tradition, So am I. But my tradition is not the tradition of one particular Church contradicted by the tradition of another Church, but the universall and perpetuall tradition of the Christian world united. Such a tradition is a full prooffe, which is received semper ubique & ab omnibus; alwaies, every where, and by all Christians. Neither do I looke upon the oppositiō of an handfull of Heretickes, (they are no more being compared to the innumerable multitudes of Christians,) in one or two ages, as inconsistent with universality, any more then the highest mountains are inconsistent with the roundnesse of the earth.*

*Thou desirest to beare the same respect to the Church of Rome that thy Ancestours did; So do I.*

*But*

## To the Christian Readers.

But for that fullness of power, yea coactive power in the exterior Court, over the subjects of other Princes, and against their wills, devised by the Courte of Rome, not by the Church of Rome; it is that pernicious source from whence all these usurpations did spring. Our Ancestours from time to time made Lawes against it: and our reformation in pointe of discipline being rightly understood, was but a pursuing of their steppes. The true controuersy is, whether the Bishop of Rome ought by divine right to have the externall Regiment of the English Church, and coactive jurisdiction in English Courtes, over English Subjects, against the will of the King and the Lawes of the Kingdome.





(1)  
**SCHISME G A R D E D**  
and beaten back upon the right  
owners.

Or

A cleare and  
**CIVIL ANSWER,**  
*to the railing accusation of S. W.*  
*in his late Booke called.*

**SCHISME D I S P A T C H E D.**

**W**hatsoever S. W. alias Mr. Serjeant doth intimate to the contrary, (for he dare not cough out,) it is a most undeniable truth, that no particular Church, (no not the Church of *Rome* it self) is exempted from a possibility of falling into errors in faith. When these errors are in Essentials of faith, which are necessary to salvation *necesseitate medi*, they destroy the being of that Church which is guilty of them. But if these errors be in inferiour points, such as are neither absolutely necessary to Salvation to be known, nor to be believed before they be known; such an Erroneous Church erring without obstinacy and holding the truth implicitly *in preparatione animi*, may and doth still continue a true member of the Catholick Church, and other coordinate Churches may and ought to maintein Communion with it, not with

A

standing

(2)

standing that they dissent in opinion. But if one Church before a lawfull determination shall obtrude her own Errours or Opinions upon all other Churches as a necessary condition of her communion, or after Determination shall obtrude doubtful opinions (whether they be Erroneous or not) as necessary Articles of Christian faith, and so not onely explain, but likewise enlarge the Ancient Creeds, she becommeth Schismaticall: As on the other side, that Church which shall not onwardly acquiesce after a legall Determination, and cease to disturb Christian Vnity, though her Iudgement may be sound, yet her Practise is Schismaticall.

This is the very case betwixt the Churches of *Rome* and England, Shee obtrudeth Doubtfull Opinions as Necessary Articles of faith, and her own Errours as necessary conditions of Communion, Which *Mr. Serjeant* everywhere misseth and misteth with his *Prævarications*. I cannot more fitly resemble his Discourse then to a Winter Torrent, Which aboundeth with Water when there is no need of it, but in Summer when it Should be useful, it is dried up: So he is full of proofes (which he miscalleth *Demonstrations*) where there is no controversy between us, and where the water sticks in

aged

(3)

deed; he is as mute as a fish. He taketh great paines to prove that the Catholick Church is infallible in such things as are necessary to Salvation. Whom doth he strike? He beateth but the aire, Wee say the same: But wee deny that his Church of *Rome* is this Catholick Church, and that the Differences between us are in such things as are necessary to Salvation. Here where he should Demonstrate if he could, he favours him self. He proveth that it is unreasonable to deny that or doubt of it which is received by the universall Tradition of the whole Christian World. What is he seeking? Surely he doth not seek the Question here in Earnest, but as he who sought for an Hare under the Leads; because he must seek her as well where she was not, as where she was. We confesse that writing addeth no new Authority to Tradition, Divine Writings and Divine Tradition, Apostolicall Writings and Apostolical traditions, if they be both alike certain, have the same authority: And what greater certainty can be imagined then the Univerfall Attestation of the Catholick Symbolicall Church of Christ. But the right Controversy lyeth on the other hand. Wee deny that the Tradition whereupon they ground their Opinions, wherein wee and They dissent, is universall;

(4)

either in regard of time, or place.

He endeavoureth with Tooth and Nayle to establish the *Roman Papacy Iure divino*, but for the extent of Papall power he leaveth it free to Princes, commonwealths, Churches, Universities, and particular Doctors to Dispute it and bound it, and to be Judges of their own Privileges. Yet the maine controversy, I might say the onely necessary controversy between them and us, is about the extent of Papall power, as shall be seen in due place. If the Pope would content himself with his *exordium Unitatis*, which was all that his primitive prædecessors had, and is as much as a great part of his own Sons will allow him at this day; wee are not so hard hearted and uncharitable, for such an innocent Title or Office, to disturb the peace of the Church. Nor doe envy him such a prebeminence among Patriarchs as *S. Pieter* had (by the confession of his own party) among the Apostles. But this will not be accepted, either he will have all or none, patronages, tenths, first fruits, investitures, appeales, legantine courts, and in one word an absolute Sovereignty or nothing. It is nothing unlesse he may bind all other Bishops to maintein his usurped Roial ties, under the pretended name of *Regalia Sancti Petri*, by an Oath contradictory to our old Oath of allegiance, although all these

encroachmēts are directly destructive to the ancient lawes and liberties both of the British and English Churches. So we have onely cast of his boundlesse Tirāny. It is he and his Court who have deserted and disclaymed his own just regulated authority, as appeareth by the right stating of the question. But *M. Serjeant* lapwinglike makes the most pewing and crying when he is furthest from his nest. What he is, I neither know nor much regard. I conclude he is but a young divine, because he himself stileth his Treatise *the Prentisage of his Endeavours in controversy*. Page: 2. And is it not a great boldnesse for a single apprentice (if he doe not shoot other mens bolts after he hath bestowed a little Rhetoricall Varnish upon them) to take up the Bucklers against two old Doctors at once, and with so much youthfull presumption of victory that his Titles sound nothing but *disarming and dispatching and knocking down*, as if Cæsar's Motto. *I came, I see, I overcame*, were his Birthright? He that is such a conquerour in his *apprentisage*, what victoryes may not he promise himself, whē he is grown to be an experienced Master in his profession? But let him take heed that his over daring doe not bring him in the conclusion to catch a *Tariar*, that is in plaine English to lose himself. The cause which he oppugneth is built upō a rock, though the wind bluster ad



the waues beat, yet it cannot fall.

I heare moreover by those who seem to know him, that he was sometimes a Noyce of our English Church, who deserted his Mother before he knew her; If it be so to doe, he oweth a double account for Schism, and one which he wil not claw of so easily. And if no man had informed me, I should have suspected so much of my self: Wee find Strangers civill and courteons to us every where in our Exile, except they be set on by some of our own; but sundry of those who have run over from us, proved violent and bitter Adversaries without any provocation, (as *Mr. Serjeant* for example). I cannot include all in the same Guilt. Whether it proceed from the Conscioufnesse of their owne guilt in deserting us, at this time especially; or the Contentment to gaine Companions or fellow Profelites: or they find it necessary to procure themselves to be trusted; or it be injoynd to them by their Superiours as a Pollicy to make the Breach irreparable; Or what else is the true reason I doe not determine. But this wee all know that Fowlers doe not use to pursue those Birds with Clamour which they have a desire to catch.

His manner of writing is petulant railing and full of Prævarication, as if he had the  
gift

gift to turn al he touched into Absurdities  
 Calumnies and Contradictions. Sometimes in a good mode, he acknowledgeth my  
 poore labours to be *a pattern of wit and indu-*  
*stry; and that there is much commendable in them*  
 At other times in his passion he maketh  
 them to be *absurd, non sensicall, ridiculous and*  
*every where contradiçtory to them selves,* and  
 mee to be *Worse then a Madman or born foole.*  
 Good words. If better were within better  
 would come out. Sometime he confesseth  
 mee to be *candid and downright,* and *to speake*  
*plaine;* at other times he accuseth me for a  
*falsifier and a Cheater without ingenuity.* A signe  
 that he uttereth whatsoever commeth upon  
 his tongues end, without regard to truth or  
 falshood. If he can blow both hot and cold  
 with the same Breath, there is no great re-  
 gard to be had of him.

The *Spartans* brought their Children to  
 love Sobriety by shewing them the detes-  
 table Enormityes which their Servants  
 committed being Drunken: so the onely  
 View of Mr. *Serjeants* railing writings are a  
 sufficient Antidote to a staied man against  
 such extreme scurrility. And I wonder that  
 the Church of *Rome* which is so provident  
 that none of her Sons in their writings  
 swerve from their rule of faith, should per-  
 mit them so Licentionly to transgresse the  
 rule

rule of good manners : and whilest they seem to propugn true Piety , to abandon all Civility , as if Zeale and Humanity were in consistent. When *Michaell* the Arch-angell disputed with the Devill about the body of Moses, he durst not bring a railing Accusation against him. Whether doth this man think him self to have more Privilege then an Archangell , or us to be worse then Devils ? When the Holy Ghost fell upon the Apostles it was indeed in fiery Tongues to expresse Devotion : but likewise in cloven tongues to expresse Discretion. St. Paul would have *the Servant of the Lord to be gentle to all men, in meeknesse instructing those that oppose them selves , if God peradventure will give them repentance to the acknowledging of the truth.*

2. Tim.

2. 24.

This is the right way to gaine soules. The mild Beames of the Sun wrought more effectually upon the Travailer, then the blustering Blasts of the Northwind. *Generosus est animus hominis. The mind of man is Generous* and is more easily led then drawn : The Lord was not in the loud wind nor in the Earthquake, nor in the Fire ; but in a still  
 1 Kings voice, Such à one *Maister Serjeanis* is  
 19. 12. *not.*

If he had objected but two or three Absurdities or contradictions, it had been able to have troubled a man , because there  
 might

might have been some Verisimilitude in it : but when he Metamorphoseth my whole Discourse into absurdities and Contradictions, that they lye as thick as Samsons Enemyes, *heaps upon heaps with the Lawbone of an Asse*, it sheweth plainly that they are but made Dragons, without any reality in them. Like that strange Monster which a cunning Cheat promised to shew his credulous Spectators, An Horse whose head stood in the place of his Taile: And when all came to all, he him self had tyed the Horse to the manger the wrong way; There needs no Application. So an expert Puppet-player can at his pleasure make the little Actors chide and fight one with another, and knock their own heads against the Posts, by secret Motions which he him self lendeth them. So the Picture of a glorified Saint, by changing of the prospect, may be turned into a poore Lazar.

*Judges*  
15.10.

He professeth that he hath the gift of *unprejudiced sincerity*, if he could be credited upon his bare word: but *Remember to Distrust*, was *Epictetus* his Iewell. No man proclaimeth in the Streets that he hath rotten Wares to sell: and Juglers when they are about to play their tricks use to strip up their sleeves in assurance

rance of faire dealing. What pledge he hath given us in this Treatise of such Candor and *unprejudiced sincerity*, wee may observe by the sequele.

In summe (Reader he complaineth much of *Wording*: yet he himself hath nothing but words. He calleth earnestly for *rigid Demonstrations*, but produceth none; And if the nature of the subject would beare one, he knowes a way how to turn it into a Contradiction. *He hateth Contradictions with all his heart*, Mistake him not, it is in another not in himself. It were to be wished that he knew a little better what Contradictions are, least innocent propositions go to wrack in his fury under the Notion of Contradictions, As poore old women doe for witches in some part of the world. He is a great Friend to Christian Peace, and a mighty *Desirer of Vnity* if wee may trust his word; If he be indeed, it wil be the better for him one Day, but who would have thought it, that scratching and biting among reasonable men were a ready way to Vnity. I doubt it is but such an Vnity as Rabshakeh desired between Senacherib and Hezekiah, a slavish Vnity. I proposed but three Expedients in the Conclusion of my Vindication of the Church of England, to obtain a wished peace in Christendome, such as themselves cannot

not deny to be lawfull, and all moderate men will judge necessary to be done. To reduce the present Papacy to the Primitive forme, The Essentials of faith to the Primitive Creed, And Publick and private devotions to the Primitive Leiturgies: But this peaceable man is so far from listening to them, that he doth not vouchsafe to take notice of them; But in answer wisheth us *To receive the roote of Christianity, that is Practicall Infallibility in the Church,* (he meaneth the Church of Rome) *which being denyed there is no religion left in the world.* His stile is too sharp, his Iudgement over partiall, his Experience too small, his sentences and censures over rash and rigorous, his Advises too Magisteriall, to be a fit instrument of procuring peace. But let us listen to those truths which he proposeth whether they be as he avoucheth (with more Confidence then discretion) *as evident in themselves, as that two and three make five.* If he can make this good, his worke is done: but if there be no such thing, as thou wilt find, learn that all is not gold that glisters; And let him take heed that his new light be not an *ignis fatuus*, which maketh Precipices seem plaine wayes to wandring misled persons.



## A SURREJOINDER

or

*Defence of the Bishop of Derrys Reply  
to the Appendix of Mr. William  
Serjeant.*

**T**he First part of his Rejoinder is a Corollary, drawn from his former Principles brought against Doctor Hammond. That little remains to be replied to mee in substantiall points, Since neither can I deny there is now a breach made between us, Nor doe I pretend demonstrative and rigorous evidence, that the Popes Authority was an Usurpation, Nor lastly doe I pretend that probable reasons are a sufficient ground to renounce an Authority so strongly supported by long possession, and Univerfall Delivery of immediate Forefathers as come from Christ, or that it was prudence to hazard a Schisme upon the uncertain Lottery of a Probability. These grounds are supposed by him to be demonstrated against Doctor Hammond, and are barely repeated here, to try if he can kill two Birds with one Bolt made of a Burre. But I refuse the Province at present as a needlesse and a thanklesse Office; N'eedlesse in respect

respect of his learned Adversary, who will shew him sufficiently the weaknesse of his pretended Demonstration, And thanklesse, in respect of him self, who had taxed mee in this Rejoinder of busying my self to answer an objection that was not addressed to me. Pag. 543.

Yet least *Mr. Serjeant* should feign that I seeke Subterfuges, I wil briefly and clearly declare my Sense of his grounds as they are here proposed, that he may fight no more with his own shadow as it is his common use; in hope I may recover his good opinion of my Candour and ingenuity. And if it please him, he may borrow *Diogenes* his Candle and Lanthorn at noonDay to search for contradictions.

First that there is a breach between them and us is too evident and void of Question. Whether they or wee be guilty of making this breach, They by excommunicating us, or obtruding unlawfull Conditions of their Communion upon us, or wee by seperating from them without sufficient Grounds, is a question between us. But that which changeth the whole state of the Question is this, If any Bishop or Church or Court Whatsoever, shall presume to change the ancient Discipline of the Church and Doctrin of Faith, either by Addition or by Substraction, either all at once or by degrees

degrees, and in so doing shall make a Breach between them and the Primitive Church, or between them and the present Catholick Church; To separate from him or them in those things wherein they had first separated from the Ancient or present Catholick Church, is not Schism but true piety. Now wee affirm that the later Bishops of *Rome* did alter the Discipline of the Church and Doctrin of Faith, by changing their beginning of Vnity into a Plenitude and Universality of Sovereign Iurisdiction, and by adding of new Essentialls of Faith to the Creed; and in so doing had made a former Breach between them selves and all the rest of the Christian World. Here the Hinge of the Controversy is, moved. Hitherwards all his supposed Demonstrations ought to have looked. Neither will it availe him anything to say *there can be no sufficient cause of Schism*, for in this case the Separation is not Schisme but the cause is Schism.

Secondly if by *Demonstrative and rigorous Evidence* he understand perfect Demonstrations according to the exact rules of Logick, Neither is this cause capable of such demonstrations, nor can his *Mediums* amount unto it: but if by *Demonstrative evidence*, he understand onely convincing proofes, as it seemeth by opposing it to probable reasons

reasons I have made it evident that the Popes Authority which he did sometimes exercise in *England*, before the Reformatiō when they permitted him, and which he would have exercised alwayes *de futuro*, if he could have had his own will, was a mere Usurpation and innovation never attempted in the *Brittish* Churches for the first six hundred yeares; Attempted but not admitted by the *Saxon* Churches for the next five hundred yeares; And damned by the Lawes of the successive *Norman* Kings ever since, as destructive to the rights of the English Crown, and the Liberties of the English Church, as shall be maintained where soever occasion offers it self. Yet all this while I meddle not with his *beginning of Unity*; If he want that respect from me, it is his own fault.

And this includeth an answer to his third ground that the Papall Authority which wee rejected, was so strongly supported by long possession and the *Univerfall Delivery of Forefathers as come from Christ*. He had alwayes some shew of right for his *beginning of Unity*, but no pretence, in the world for his *Soveraigny of power*. To make Lawes, To repeale Lawes, to dispense with the Cannons of the *Univerfall Church*, to hold Legantine Courts, to dispose of Ecclesiasticall prefermentes

mêtes to cal the subjets out of the kingdoms, to impose tributes at his pleasure and the like. Wee will shew him such an usurpation as this; Let him prove such a Papacy by universall tradition, and he shall be great *Appollo* to mee. Wee doe not hold it *prudence to hazard a Schism upon probabilities*; but trust me such a multitude of palpable usurpations as wee are able to reckon up, so contrary to the fundamentall Lawes of *England*, which were grounded upon the ancient Privileges of the *Brittish* and *Saxon* Churches, together with the addition of twelve new articles or Essentials to the Creed at once by *Pius* the fourth (I say addition not explication) are more then probabilities. He converseth altogether in Generalls, *a Papacy or no Papacy*, which is commonly the Method of deceivers: but if he dispute or treat with us, wee must make bold to draw him down to particulars; Particulars did make the Breach.

I censured his light and ludicrous title of *Down derry* modestly in these words. *It were strange if he should brow a good cast who soales his Bowle upon an undersong*, alluding to that ordinary and elegant expression, in our *English tongue*, Soale your bowle well, that is, be carefull to begin your work well.

*Dimidium facti, qui bene cepit habet.*

The

The Printer puts seales for soales, which  
 easy error of the presse any rationall man  
 might have found out : but *Mr. Serjeants pen*  
 runs at random, telling the Reader, that I  
 am *Mystically proverbiall*, that I am *far the*  
*better Bowler*. Surely he did but dreame it.  
 And that he him self is so *inexpert*, as not to  
*understand what is meant by sealing a Bowle*  
*upon an undersong*. If he were such a stranger  
 in his Mothers Tongue, Yer he might have  
 learned of some of his friends what soaling  
 a Bowle was, rather then burthen the presse,  
 and trouble the World with such empty and  
 impertinent Vanities Neither did his plea-  
 sant humour rest here, but twice more in  
 his short Rejoinder he is pursuing this in-  
 nocent Bowle. Afterwards he telleth us  
 that I was *beholden to the merry Stationer* for  
*this Title, who without his knowledge or approba-*  
*tion would needs make it his Post-past to his*  
*bill of fare*. This answer if it be true had ex-  
 cused himself: but it sheweth that the Sta-  
 tioner was over scurrilously audacious, to  
 make such Antepasts and Postpasts at his  
 pleasure. Neither is it likely that *the com-*  
*poser was such a perfect stranger to our language*  
 as he intimateth in his Epistle, and the *merry*  
*Stationer* so well versed in our *Vnder songs*.  
 But after all this he owneth it by telling us



that *the jest was very proper and fatall*. Yes as fatall as it is for his Rejoinder to contain 666 pages, which is just the number of the Beast. His merry Stationer might easily have contrived it otherwise, for feare of a fatality, by making one page more or lesse, but his mind was otherwise taken up, how to cheat his Customers with counterfeit bills of fare, which they will never find, I will endeavour to cure him, of his opinion of fatality.

*Sett: I. Cap: I.*

**B**Ecause *Mr. Serjeant* complaineth much of *wording*, and yet giveth his Reader nothing but words, and calleth so often for *rigorous demonstrations*, yet produceth nothing for his part which resembleth a strict demonstration; and because this first part of his discourse is the *Basis* or ground worke of the whole building, whereof he boasteth that it *doth charge the guilt of Schisme upon our Church, not onely with Colour but with undeniable Evidence*, I will reduce his discourse into a Logicall forme, that the Reader may see clearly where the Water sticks between us. Whatsoever he prateth of a *rigorous demonstrative way as being onely conclusive*, it is but a Copy of his countenance. He cannot be  
igno-

ignorant, or if he be, he will find by experience that his glittering principles will fail him in his greatest need, and leave him in the dirt. I have known sundry phantastick Persons who have been great pretenders to *demonstration*, but always successeless, and for the most part ridiculous. They are so conceitedly curious about the premises, that commonly they quite mistake their conclusion: Causes encombred with Circumstances, and those left to the election of free agents, are not very capable of demonstration.

The Case in difference between us is this as it is stated by me, *Whether the Church of England have withdrawn themselves from Obedience to the Vicar of Christ and seperated from the Communion of the Catholick Church.* *Schism  
disarmed:  
pag.  
306.*

And upon those Termes it is undertaken by him in the words immediatly following, *And that this Crime is justly charged upon his Church not onely with Colour, but with undeniable Evidence of fact, will appeare by the position of the Case, and the nature of his exceptions.* We have the State of the Controversy agreed upon between us, Now let us see how he goeth about to prove his intention.

*What Church soever did upon probable reasons without any necessary or convincing grounds*

*grounds break the Bonds of Vnity ordained by Christ in the Gospell and agreed upon by all true churches, is guilty of Schisme: But the Church of England in Henry the eighths dayes did upon probable reasons without any necessary or convincing grounds, break the Bonds of Vnity ordained by Christ in the Gospell and agreed upon by all true churches, therefore the church of England is guilty of Schisme. I doe readily assent to his Major proposition, and am ready to grant him more if he had pleased to insert it, That that Church is Schismaticall which doth breake the Bonds of Unity ordained by Christ in his Gospell, whatsoever their reasons be whether convincing or probable, and whosoever doe either consent to them or dissent from them: But I deny his Minor which he endeavoureth to prove thus.*

*Whatsoever Church did renounce or reject these two following Rules or Principles, first that [The doctrines which had been inherited from their Forefathers as the Legacies of Christ and his Apostles were solely to be acknowledged for Obligatory, and nothing in them to be changed.] Secondly that [Christ had made St. Peter first or chief or Prince of his Apostles, who was to be the first mover under him in the Church after his departure out of this World, and to whom all others in difficulties concerning Matters belonging to Universall faith or Govern-*

ment, should have recourse, and that the Bishops of Rome as Successors from St. Peter inherited from him this privilege in respect of the Successors of the rest of the Apostles.) *That Church did breake the Bonds of Unity ordained by Christ in his Gospell, and agreed upon between the Church of England and the Church of Rome and the rest of her communion. But the Church of England did all this in Henry the eighthes dayes that very yeare where in this unhappy Separation began, upon meerly probable, no convincing grounds. Therefore &c.*

To his former Proposition I made this exception, *That he would obtrude upon us the Church of Rome and its dependents for the Catholick Church, Uppon this he flyeth out as 't is his Custome into an invective discourse, itelling me, I looke a squint at his position of the case. He will not find it so in the conclusion, And that I strive Hocus-pocus like to divert my Spectators eyes, With a great deale more of such like froath, where in there is not a syllable to the purpose, except this, that he did not mention the word Catholick in that place. The greater was his fault. It is a foule Solecisme in Logick not to conclude contradictorily. I did mention the Catholick Church in the State of the Question. Whether the church of England had separated it self from the communion of the Catholick*

*Church.* And he had undertaken in the words immediatly following, *to charge that very Schisme upon us with undeniable Evidence.* And in his very first Essay shuffles out *the Catholick Church*, and in the place thereof thrusts in *the Church of Rome with all the rest of her communion.* He might have known that wee doe not looke upon the Church of Rome with all the rest of her Communion as the Catholick Church; Nor as above a fifth part of the present Catholick Church; And that wee doe not ascribe any such infallibility in necessary truths to the Roman Church with all her dependants, as wee doe to the true Catholick Church, Nor esteem it alwayes Schismaticall to sepearate from the modern Roman Church, Namely in those points wherein shee had first sepearated both from the primitive Roman Church, and from the present Catholick Church. But wee confesse it to be alwayes Schismaticall to sepearate from the Communion of the Catholick Church united. Thus much he ought to take notice of, and when he hath occasion hereafter to write upon this Subject, not to take it for granted (as they use to doe) that the Catholick Church and the Roman Church are convertible Termes, or tell us a Tale of a Tub what their Tenet is, *that these Churches which continue*

*in Communion with the Roman are the onely true Churches.* We regard not their Schismaticall and uncharitable Tenets now, no more then we regarded the same tenets of the donatists of old. They must produce better authority then their Owne, and more substantiall proofes then he hath any in his Budget, to make us believe that the Roman Church is the Catholick Church. It is charity to acknowledge it to be *a Catholick church* inclusively; but the greatest uncharitableness in the world to make it *the Catholick church* exclusively, that is to seporate from Christ and from hope of Salvation as much as in them lieth all Christians who are not of their own communion. Howsoever, it is well that they who used to vaunt that *the Enemy trembled at the name of the Catholick church*, are now come about themselves to make the Catholick Church to be an appendix to the Roman. Take notice Reader that this is the first time that *Mr. Serjeant* turns his back to the question, but it will not be the last.

My next taske is to examine his two *the rule* Rules or Bonds of Unity. And first concerning his Rule of faith, I doe not onely *of faith.* approve it but thanck him for it; and when I have a purpose to confute the 12 new Articles of Pius the fourth, I will not desire a

better *medium* then it. And I doe Cordially subscribe to his Censure, that the Transgressors there of are indeed those who are truly guilty of that horrid Schisme which is now in the Christian world.

*The rule  
of Go-  
vernment  
No con-  
troversy  
about  
St. Pe-  
ter.*

To his second Rule or principle for Government that *Christ made St. Peter First or Chiefe or Prince of his Apostles, who was to be the first mover under him in the church, after he departed out of this world to whom all others should have recourse in greater Difficulties.* If he had not been a meer Novice and altogether ignorant of the Tenets of our English Church, he might have known that wee have no controversy with *St. Peter*, nor with any other about the privileges of *St. Peter*, Let him be *First, Chiefe, or Prince of the Apostles*, in that sense wherein the Ancient Fathers stiled him so, Let him be the First Ministeriall Mover, And why should not the Church have recourse to a prime Apostle or Apostolicall Church in doubtfull cases? The learned Bishop of *Winchester* (of whom it is no shame for him to learn) might have taught him thus much, not onely in his own name, but in the name of the King and Church of England, *Neither is it questioned among us whether St. Peter had a Primacy, but what that Primacy was. And whether*

*Resp.*  
*ad Apol*  
*6. I.*



whether it were such an one as the Pope doth now Challenge to him self, and you challenge to the pope. But the King doth not deny Peter to have been the prime and prince of the Apostles. I wonder how it commeth to passe that he who commonly runneth over in his expressions, should now on a suddain become so dry upon this Subject. If this be all, he needed not to have forsaken the Communion of the Church of England, for any great Devotion that he beareth to St. Peter, more then wee.

But yet wee dare not rob the rest of the Apostles to cloath St. Peter, Wee say clearly with St. Cyprian, *Hoc erant unius & ceteri Apostoli quod fuit petrus, pari consortio pradi & honoris & Potestatis, sed exordium ab Unitate proficiscitur, Primatus Petro datur in una christi Ecclesia & una cathedra monstratur*, The rest of the Apostles were even the same thing that Peter was, endowed with an equall Fellowship both of honour and power: but the beginning cometh from Vnity, the primacy is given to Peter, to signify one church and one chaire. It is well known that St. Cyprian made all the Bishoppicks in the World to be but one masse, *Episcopatus unus est Episcoporum multorum concordia numerositate diffusus*, where of every Bishop had an entire part, *cujus a singulis in solidum ad Antiquam pars teneatur*. All that he attributeth to St. Peter is this beginning of Vnity

*Ep. 55. ad Cor- nel.* this primacy of Order, this preheminance to be the Chief of Bishops, To be Bishop of the principall Church from whence Sacerdotaill Vnity did spring, Yet I esteem St. Ciprian as fauorable an Expositor to the See of Rome, as any they will find out of their own Chaire that was no more interessed in that See. This primacy neither the Ancients nor wee doe deny to St. Peter, of Order, of Place, of preheminance, if this first Movership would serve his turn, this controversy were at an end for our parts. But this Primacy is over leane, The Court of Rome have no Gusto to it, They thirst after a visibible Monarchy upon earth, an absolute Ecclesiasticall Sovereignty, A power to make Canons, to abolish Canons, to dispense with Canons, to impose pensions to dispose dignities, to decide Controversies by a single Authority. This was that which made the breach, not the innocent Primacy of St. Peter, as I shall demonstrate by evident proofes as cleare as the noone day light.

Observe Reader that *Mr. Serjeant* is making another *Vagare* out of the lists, to seeke for his Adversary where he is sure not to find him, here after if he have a mind to employ his pen upon this subject and not to barke at the Moonshine in the water, let him endeavour to demonstrate these foure things

things which wee deny indeed.

First that each Apottle had not the same power over the Christian world by virtue of Christ Commission (*As my Faither sent mee Io. 20, so send I you*) which St. Peter had. 21.

Secondly that St. Peter ever excercised a single Iurisdiction over the persons of the rest of the Apostles, more then they over him besides and over and above his Primacy of Order, or beginning of Vnity.

Thirdly that St. Peter alone had his Commission granted to him by Christ as to an Ordinary Pastour, to him and his Successors, And all the rest of the Apostles had their Commissions onely as *Delegates* for term of life; This new hatched Distinction being the foundation of the present Papacy, I would be glad to see one good author for it, who writ within a thousand yeares after Christ.

Lastly that the Sovereignty of Ecclesiasticall power and Inrisdiction rested in St. Peter alone, and was excercised by him alone, and not by the Apostolicall College, During the hystory of the Acts of the Apostles.

Now let us proceed from St. Peter to the Pope which is the second part of his rule of Government. *And that the Bishops of Rome as Successors of St. Peter inherited from him to Saint this Privilege in respect of the Successors of the Peter, rest of the Apostles, And actually excercised this power*

power in all the Countreyes which kept Communion with the Church of Rome. what Privilege? To be the first Bishop, the Chiefe Bishop, the principall Bishop, the first mover in the Church, just as *S. Peter* was among the Apostles? we have heard of no other Privilege as yet. If a man would be pleased out of meer pitty to his starving cause, to suppose thus much, what good would it doe him? Doth he think that the pope or the court of *Rome* would ever accept of such a Papacy as this, or thanke him for his double diligence? He must either be meanly versed in the Primitive Fathers, or give little credit to them, who will deny the Pope to succede *St Peter* in the Roman Bishoprick, or will envy him the Dignity of a Patriarck within his just Bounds. But the Breach between *Rome* and *England* was not about any Episcopall, Metropolitall, or Patriarchall rightes. A Patriarch hath more power in his proper Bishoprick then in his province, and more in his province then in the rest of his Patriarchate: But papall power is much greater then any Bishop did ever challenge in his own Diocesse. In my answer to his Assumption I shal shew sufficiently who they were that Brake this Bond of Vnion, and are the undoubted Authors of Schisme,

But

But before I come to that, I would know *But* of him, how the Pope did *inherit*, all those *not by* Privileges which he claimeth from *S. Peter*, *Christs* or how he holds them by *Christs own ordina-* *Ordina-* *tion in holy Scripture?* First all the Eastern *tion.* Churches doe affirm Confidently that the most of these Privileges were the Legacies of the Church representative, not Christ or *St. Peter.* And it seemeth to be very true by that of the Councell of *Sardica*, *Si vobis placet Sancti Petri memoriam honoremus.* If all these Priuileges were the popes inheritance, it was not wel done of old *Osius* to put it upon a *Si placet*, content or not content, and to assigne no better a reason then, the memory of a Predecessour. It semeth likewise to be true by the Councell of *Chalcedon* which attributeth the primacy of the Bishop of Rome to *the Decrees of the Fathers* and *the dignity of that imperiall City;* And when the popes Legates did oppose the Acts of the Councell, *Gloriosissimi Iudices dixerunt.* *Conc. Sardic. c. 3.* The most glorious Iudges said, let both parties plead the *Canons.* By the *Canons* that great Councell of six hundred and thirty Fathers did examin it; By the *Canons* they did determine it, there was no inheritance pretended in the case. *Conc. Chalced. Act 16.*

Secondly if the Bishop of Rome did hold all his privileges by inheritance from *S. Peter* how much were three successive Popes over seen, *Zosimus*, *Bonifacius* and *Celestine*, to ground them upon the canons of the councill of *Nice*, and these either counterfeited or mistaken for the Canons of *Sardica*? Which when the *African* Fathers did find out by the true Copies of the *Nicene* Councill, they rejected that part of papall power as appeareth by their Letter to Pope *Celestine* *We earnestly beseech you that hence forwards you doe not easily lend an eare to such as come from hence nor (which Bellarmine cuts of guilefully) receive any more such as are excommunicated by us into your Communion, with this sharp intimation, Ne fumosum typum seculi in Ecclesiam videamur inducere.* If soveraigne Iudicature did belong to the Bishop of Rome by Inheritance from *St. Peter* why did three popes challenge it upon the Decrees of the *Nicene* Concell and why did the *African* Fathers refuse to admit it, because it was not contained in the Decrees of the *Nicene* Councill?

Thirdly if by Prince of Bishops *Mr. Sergeant* understand an absolute Prince, one who hath a single Legislative power, To make Canons, To abolish Canons, to dispense with Canons as seemeth good in his owne

*Epist.*

*Conc.*

*Afr.*

*ad cele.*

*stin.*

owne eies , if he makea greater Prince  
of the Steward , then he doth of the  
Spouse of Christ , he will have an hard Pro-  
vince to secure him self from the Censures  
of the Councells of *Constance* and *Basile* , in  
the former of which were personally pre-  
sent one Emperour , Two Popes , Two Pa-  
triarchs , All the Cardinalls , The Embassa-  
dors of all' the Princes in the West , and the  
Flower of Occidentall Schollars , Divines  
and Lawyers. These had reason to know  
the Tradition of the Univerfall Church as  
well as *Mr. Serjeant*.

Lastly , before he can determine this to  
be an *undeniable truth* , and a necessary *Bond*  
of *Unity* , that the Bishop of Rome is *Inheri-*  
ter of all the Privileges of *St. Peter* , And  
that *this Principle is Christs own Ordination re-*  
*corded in Scripture* , He must first reconcile  
him self to his own party. There is a Co-  
mentary upon the Synodall answer of the  
councell of *Basile* , printed at *Colone* in the  
yeare 1613. wherein is mainteined , That *commēt*  
*the Provinces subject to the foure great Pa-* in Epist.  
*triarchs from the beginning of the Christi-* Synodal  
*an church , did know no other Supreme but their conc.*  
*own Patriarchs.* And if the Pope be a *Primate Basile* ,  
it is by the church , If he be the head of all chur- pa. 31.  
ches it is by the church : and where as wee have b.  
said that it is expressed in the councell of *Nice* , *Idem*  
right , pag. 40.



that many provinces were subjected to the church of Rome by Ecclesiasticall custome, and no other right, the Synod should doe the greatest injury to the Bishop of Rome, if it should attribute those things to him onely from Custom, which were his due by divine right.

**Gerson** Gerson goeth much more accurately to  
*de vita* worke, distinguishing Papall rights into  
*spirit.* three sorts, divine, which the Bishop of  
*anima.* Rome challengeth by succession from St. Peter, Canonically, wherewith he hath been trusted by generall councells, and civil, granted to that See by the Emperours. Of the first sort he reckoneth no more but three privileges, To call councells, To give sentence with councels, and Jurisdiction purely spiritual.

**Acta** Among the Propositions given in to  
*conc.* the councell of Pisa and printed with the  
*primi* acts of the councell, wee find these, first,  
*Pisani* Although the Pope as he is the Vicar of Christ  
*impres.* may after a certain manner be called the head of  
*Lutet.* the church: Yet the Vnity of the church doth not  
 1612. depend necessarily, or receive its beginning from  
 fol. 69. the Vnity of the Pope. Secondly, The church  
 hath power and authority originally and immediately from Christ its head to congregate it self in a generall councell, to preserve its Vnity. It is added, That the Catholick church hath this power also by the Law of Nature. Thirdly, In  
 the.

the Acts of the Apostles we read of four Councils Convocated and not by the Authority of Peter, but by the Common Consent of the Church. And in one Council celebrated at Ierusalem, we read not that Peter, but that Iames the Bishop of the Place was President and gave Sentence. He concludeth that the Church may call a Generall Council without the Authority of the Pope, and in some cases, though he contradict it. The Writers and writings of those times, in and about the Councils of Constance and Basile and the two Pisan Councils, doe a bound with such expressions.

Can. lo.  
l. 6. c. 8

Before he determined positively. The divine right of the Papacy as it includeth a Sovereignty of power, he ought to consider seriously what many of his own friends have written about it; as Canus, Stap. de and Cusanus, and Stapleton, and Soto, and Driedo, and Segovius, as it is related by Aeneas Sylvius and others; That the Popes succession is not revealed in Scripture; That Christ did not limit the Primacy to any particular Church; That it cannot be proved that the Bishop of Rome is perpetuall Prince of the Church; That the Glosse which preferreth the Iudgement of the Roman Church before the Iudgement of the world, is very

Cus. com  
cord. ca  
tholl. 2.  
ca. 34.  
de  
princip.  
fid. l. 13  
ca. 15.  
Soto 4.  
sent. dist  
24. qu.  
2. art. 5  
de Ec-  
clesiast.

C

fin- dog. li.  
4. c. 3.

*Contar. singular and foolish and unworthy to be followed;*  
*De Po-* That it hath been a Catholick Tenet in former  
*test.* times, that the Primacy of the Roman Bishop  
*Pont.* doth depend not upon divine, but human right and  
 the positive Decrees of the Church; That

*Aen'* men famous in the Study of Christian The-  
*Sylvius* ology, have not been affraid in great As-  
*de Gest.* semblies to assert the Humane Right of the Po-  
*Bas.* pe. He ought to Consider what is said of a  
*Conc. li* great King, that Theologians affirmed that  
 the Pope was the head of the Church by divine

*Sleid.* right, but when the King required them to prove  
*li. 9.* it, they could not demonstrate it, And lastly  
 what the Bishop of Chalcedon saith lately,

*Bish* To us it sufficeth that the Bishop of Rome is St.  
*Chalc:* Peters Successour: and this all Fathers Testify,  
*Survey* and all the Catholick Church believeth, but whe-  
*cap. 5.* ther he be so Jure divino or humano, is no point  
 of Faith.

*Schism.* Here Reader I must intreat the before  
*disar-* wee proceed a step-farther to read his As-  
*med Pa.* sertion, That the Constant believe of the Catho-  
*304.* lick World was and is, that this Principle (na-  
 mely that the Bishop of Rome inherited the  
 Privileges of St. Peter) is Christs own Ordina-  
 tion recorded in Scripture, Derived to us by the  
 strongest Evidences that our Nature is capable  
 of. What a strange Confidencee is this, to  
 tell

tell his Readers he cares not what so it may serve his present turne? How should this be recorded in Scripture, when the Bishoprick of Rome is never mentioned in Scripture, nor so much as whether St. Peter ever was at Rome? Except we understand Rome by Babilon? but this is too remote and too obscure to be Christs own Ordinance. If it be recorded in Scripture, it is either in *Nicodemus* his Gospell, or in the Popes Decretall Epistles. Certainly in the Genuine Scriptures there is no manner of mention of any such thing.

Heare the ingenuons Confession of a more learned Adversary, *Neque Scriptura neque Traditio habet, sedem Apostolicam ita fixam esse Roma ut inde auferri non possit.* there is neither Scripture nor Tradition to prove that the See of St. Peter is so fixed to Rome, that it cannot be taken from it. But if the Bishop of Rome did inherit the Privileges of St. Peter By Christs own Ordination recorded in Scripture, then there were Scripture to prove, that it cannot be taken away from Rome. Christs own Ordination must not be violated Behold both his grounds Scripture and Tradition swept away at once.

*Bellar  
de Rom  
Pont  
lib. 4.  
cap 4.*

It will not serve his turne at all to say  
C 2

*Schism.  
dis. pa.  
that 504.*

*Schism.* that I take him in a Reduplicative sense as if  
*dis.pa.* he spake of the Bishops of Rome, as of Rome.  
 504.

Either Christ ordained in Scripture that the Bishop of Rome should succeed *St. Peter* in his privileges, And then the Bishop of Rome doth succeed *St. Peter* as Bishop of Rome. Or Christ hath not ordained in Scripture that the Bishop of Rome should succeed *S. Peter* in his privileges; And then the Bishop of Rome is not *St. Peter* Successour by Christs own Ordination. He may be his Successour upon another account: but by Christs own Ordination recorded in Scripture he cannot be, if Christ himself have not ordained in holy Scripture that he should be. He addeth that *I picked these Words out of a Paragraph a lease after*. Why? is he not bound to speake truth in one Paragraph as well as in another? Or will he oblige one who combatteth with him to watch where his Buckler is ready, and be sure to hit that? These things are as cleare as the light, and yet he vapours about my frivolous and impertinent answers, and wonders how any man can have the patience to read such a Trifler. Let the Reader judge which Scale hath more weight in it.

How should the Bishop of Romes Succession to *S. Peter* be Christs own ordination recorded in Scripture; When both his fellowes  
 and

and he himself doe ground the Bishop of Romes right to succeed St. Peter upon the fact of St. Peter: Namely, his dying Bishop of Rome? Bellarmine distinguisheth *Bell. de between the Bishop of Romes succession of St. Rom. Peter, and the reason of his succession. The Pont. l. 2 succession (saith he) is from the institution of cap 12. Christ by divine right, and commanded by and lib. Christ: but the reason of this succession is from 4. ca. 4. the fact of S. Peter, not from the institution of Christ. Which two are irreconcilable. For if Christ commanded that the Bishop of Rome should succeed St. Peter (as he saith) Deus ipse iussit Roma fieri Apostolicam Petri sedem, quæ autem iubet Deus mutari ab hominibus non possunt, Then not the fact of St. Peter, but the mandate of Christ is the reason of the succession. There was no need that St. Peter should doe any thing to perfect the commandement of Christ; and on the other side, if the fact of St. Peter be the true reason of the Bishop of Romes succession, the it is evident that Christ did not command it. Let it be supposed to avoid impertinent disputes, that Christ did create a chiefe Pastor of his church as an office of perpetuall necessity, without declaring his pleasure who shall be his successour, but leaving the choise either to the chief Pastor or to the church: without peradventure in such a*

case the Office is from Christ and the perpetuity is from Christ, but the right of the Successour is from them who make the application, whether it be the Chief Pastor, or the Church. The Succession of the Bishop of *Rome* to *S. Peter*. is not recorded in Scripture; The fact of *S. Peter*. is not recorded in Scripture. No such ordination of Christ is recorded in Scripture, that the Bishop of *Rome* should be *S. Peters* Successour; And therefore it is impossible that the Succession of the Bishop of *Rome* to *S. Peter*. should be Christs own ordination recorded in Scripture.

Then what is this Mandate of Christ? and where contained? The Mandate is an old legend contained in *Marcellinus*, *Leo*, *Athanasius*, *Ambrose*, and *Gregory*, some of which point at it, others relate it, some define it as a matter of faith. That *S. Peter* a little before his Passion being ready to depart out of *Rome* did meet Christ in the gate who told him that he came to *Rome* to be Crucified againe, Thereby intimating that *St. Peter* must suffer martyrdom there. Here is no mandate of Christ to *S. Peter* to fixe his See at *Rome*, much lesse that he should place it there for ever, never to be removed. True (saith *Bellar-*

*mine*



mine) but yet non est improbable Dominum etiam aperte iussisse ut Sedem suam Petrus ita fingeret Roma ut Romanus Episcopus absolute ei succederet. It is not improbable that the Lord did command plainly that Peter should fix his See at Rome, that the Roman Bishop should succeed him absolutely. Alas? this is but a poore ground to build a mans faith upon, that it is not improbable. And therefore the said Author proceedeth, *Tame si forte &c.* Although peradventure it be not of divine right that the Roman Bishop because he is the Roman Bishop, doth succeed S. Peter in the prefecture of the Church.

And though it were supposed a point of faith, That the Bishop of Rome were S. Peters Successour: Yet it cannot be a point of faith that Pope Urban or Pope Clement are S. Peters Successours, and true Bishops of Rome, because there can be no more then morall Certainty for it. Who can assure us of their right Baptisms and right Ordinations, according to the common Roman grounds? How can wee be sure of their Canonick Election, that two third parts of the Cardinalls did concur, or that the Election by Cardinalls now, and by the Emperours, and by the People formerly were all Authentick,

formes , though I doubt not but any of these might serve to obtaine an humane right ? But especially what can secure us from the taint of Simoniacall Pravity, which they who knew the Intrigues of States doe tell us hath born too great Vogue in the Conclave of late dayes ? And if it cannot be a point of Faith to believe the present Pope is *St. Peters* Successour for these reasons ; neither can it be a point of Faith that any of them all hath been his Successour for the same reasons. I doe not urge these things to encourage any man to withdraw Obedience from a lawfull Superiour, either upon improbable or probable suppositions but to shew their temerarious presumption who doe soe easily chāge humane right into Divine right , and make many things to be necessary points of Faith , for which there uever was revelation or more then Morall Certainty.

*Sest. I. Cap. II.*

*Orall*

*and immediate* The next thing which offereth it self to our Consideration is his *Minor Proposition*, Whether the church of England did on no breake these Bonds of Vnity &c. But certaine I hold it more Methodicall to examine  
*rule.* first

first the Proofes of his Major, That *these were the right Bonds of Vnity*, and so dispatch that part out of my hands.

*All which was agreed upon unanimously between the Church of Rome and its dependents, and the Church of England, and deliured from hand to hand in them all by the Orall and immediate Tradition of a World of Fathers to a world of Children successively, as a rule of Faith or Discipline received from Christ and his Apostles, which so vast a Multiitude of Eye witnesses did see visibly practised from Age to Age, is undoubtedly true, and such a rule is infallible and impossible to be Crooked.*

*But these two Rules are such Rules.*

And so he concludeth that *they are incapable of Usurpations, and as easy to teach faith as Children learn their A B C.*

I have given his Argument as much force and edge as I could possibly; but all this Wind shakes no Corn. His other two Rules were not so much to be blamed; as this Rule of Rules, *Orall and immediate Tradition.* Of such Orall and immediate *Mat.* Tradition it was that our Saviour told the 15. 6. Scribes and Pharisees, That *they made the Commandements of God of none effect by their 1. Pet. Tradition, And St. Peter told the disperfed 1. 18.*

Jewes , that *they were redeemed by the blood of Christ from their vain Conversation received by Tradition from their Fathers.* These were, such Traditions as The Jewes pretended they had received from *Moses and the Prophets* : as the Romanists pretend now to have received their Traditions from *Christ and his Apostles.* Otherwise, wee doe not onely admit Orall Traditions in generall , as an excellent Introduction to the Doctrin of saving truth , and a singular help to expound the holy Scriptures : but also particular unwritten Traditions derived from the Apostles and delivered unto us by the manifest Testimony of the Primitive Church , being agreeable to the holy Scriptures. The Apostles did speak by inspiration as well as write , and their Tradition whether by word or writing indifferently was the word of God , into which faith was resolved : The Traditions of the Catholick Church of this present or another age , have this Privilege, to be free from all Errours that are absolutely Destructive to Salvation : but this they have not from the nature of Tradition ; which is subject to Errour , to Corruption , to Change , to Contradiction :

*Mobilitate viget viresque acquirit eundo.*

but

but from the speciall Providence and protection of Christ, who hath promised to be with his Church untill the end of the World.

In summe, I deny both his Propositions, First his Major. Immediate Tradition from Parents to Children is not a certain and infallible Rule of Truth and Faith. Traditions are often doubtfull, doe often change with the times, and sometimes contradict one another; As we see in the Different Traditions of the Eastern and Western Churches about the observation of Easter, And the Councells of *Nice* and *Frankford* about Images &c. Neither points of Faith nor Papall rights are so visible as he imagineth. Credulity, and Ignorance, and Prejudice, and Passion, and Interest, doe all act their parts. Upon his Grounds there can be no Ecclesiasticall Usurpations: yet Experience teacheth us that there have been such Usurpations in all Ages. If he had reason to renounce the immediate Tradition of his Father and Grandfather and great Grandfather; Then others may have the like and better reasons. Let him believe the Suns dancing upon Easter morn, and the Swans singing, and the Pellicans digging of her Breast  
with

with her Bill, and all the Storyes of King *Arthur* and *Robin Hood*, for it may be he hath received all these from his Elders by immediate Tradition.

He him self Confesseth that *the possession of government must be such a possession as may be presumable to have come from Christ, not of such an one as every one knowes when it began.* P. 49. To what purpose is it to pretend tradition for all those branches of Papall power which are in controversy betweene them and us, seeing all of them had their first originall eleven hundred yeares after Christ ?

Secondly, this is not all, he ascribeth moreover too much to the immediate Tradition of the present Church, but much more then too much to the immediate Tradition of his elders, to make it absolutely infallible *cui non potest subesse falsum*, and to resolve Faith into it, The last resolution of Faith must be into that which is formally the word of God. The voice of the present Church may be materially the word of God in regard of the matter and thing testified : but it cannot be formally the word of God, in respect of the Witnesses and manner of testifying. But immediate Tradition is often a Seminary of Errors.

Thirdly

Thirdly he makes the Orall and immediate Tradition of Fathers to their Children, to be a more ready and a more safe Rule of Faith then the holy Scriptures, which are the Canon of Faith; and so ready, that it is as easy, as for Boyes to learn their A B C. and so safe, that it is impossible to be made crooked.

Lastly he Confoundeth the Tradition of the Roman Church with the Tradition of the Catholick Church: yet the one is but particular, the other Uuiversall Tradition. *Aug. lib. 4. contra Donatistas cap. 24.*  
 Saint Augustine setteth us downe a certaine rule how to know a true genuine Apostolicall tradition; *Quod universa tenet Ecclesia, nec Conciliis institutum sed semper Retentum est, non nisi auctoritate Apostolica traditum verissime creditur.* Whatsoever the whole Church doth hold, which was not instituted by councells, but allwayes received, is most rightly beleewed to have bene delivered by Apostolicall authority. These three markes, conjointly do most firmly prove an Apostolicall Tradition. I do not denie but that there have bene Apostolicall Traditions which have wanted some of these Markes, but they were neither necessary to salvation, nor can be proved at this day after sixteene hundred yeares to have bene Apostolicall Traditions. Whatsoever wanteth either universality or  
 per.



perpetuity is not absolutely necessary. Neither can the reception of one Apostolicall Church proue a tradition to be Apostolicall, if other Apostolicall Churches do reject it, and contradict it.

To conclude we give all due respect to Tradition ; but not so much to Orall Tradition as to Written Tradition , as being more certain, lesse subject to mistakes, and more easily freed from mistakes , *Literæ scripta manet*. A serious person if he be but to deliver a long message of importance from one to another, will be carefull either to receive it in writing, or put it in writing. Nor so much to particular *immediate* Tradition, as we do to Vniversall and perpetuall tradition. He overshooteth himself beyond all aime in affirming of immediate and Particular Tradition, that where it hath place it is impossible for usurpations or abules to enter or find admittance. He might as well tell us that it is impossible to make a crooked line with a leaden Rule. Particular Tradition is flexible and is often bended according to the interests and inclinations of particular ages and places and persons. He saith, that there *can be no encroachments so as men adhere to this method* that is immediate Tradition, He telleth us that they

they did adhere to this Method, and that there was such immediate Tradition: and yet we have seen and felt that encroachments and vsurpations and abuses, did not onely creep into the Church, but like a Violent Torrent did beare down all opposition before them. I produce but two Witnesles, but they are beyond exception. The one is Pope *Adrian* the sixth in his Instructions to his Nuncio *Franciscus Cbe-* *Apud*  
*regatus* when he sent him to the German *Goldast*  
Princes at the diet of Nuremberg, Wee know *Const.*  
*that in the holy See for some yeares past, many Imper.*  
things have been to be abominated, Abuses in *pa. 29.*  
*Spirituell things, Excesses in Mandates, and all*  
things changed perversly. Neither is it to be  
marveiled at, if sicknesse descend from the head  
to the members, from the Chiefest Bishops to other  
inferiour Prelates, &c. And againe, Wherein  
for so much as concerneth us you shall promise,  
that wee will doe our uttermost endeavour, that  
in the first place this Court from whence perad-  
venture this evill hath proceeded may be refor-  
med, that as the Corruption flowed from thence  
to all inferiours; so like wise the health and re-  
formation of all may proceed from thence. Pope  
*Adrian* Confesseth abominable abuses, and  
excesses, and perverse mutations and cor-  
ruptions; and yet *Mr. Serjeant* would make  
us be

us believe that where this Method of Orall and immediate Tradition is used, there can be no changes. Either this Method was not used, or this Method is not a sufficient preservative against innovations: both wayes his demonstration falleth to the ground.

My other Witnesse is the Councell of nine cheife Cardinalls, who upon their Oaths delivered up as their veredict, a bundle of abuses, *grievous abuses, abuses not to be tolerated*, (they are their own words) ye a *Monsters*, to Paul the thīrd in the yeare 1538; beseeching him that *these spots might be taken away, which if they were admitted in any Kingdome or Republick would streight bring it to ruine*. Never any man did make encroachments and innovatious to be impossible before this man.

There was no Tradition for the Divine right of the Papacy. His assumption is as false as his major proposition, *But these two Rules* (whereof this is one part, that the Bishops of Rome as Successors of S. Peter did inherit from him this privilege to be the first or Chiefe or Princes of Bishops, &c.) Were agreed upon unanimously between the church of Rome and its dependents and the church of England, and delivered from hand to hand in them all by the Orall and immediate Tradition, of a World of Fathers to a World of children successively  
as a

*as a Rule of discipline received from Christ and his Apostles, &c.* If all this were true, it concerneth us nothing we may perhaps differ from them in judgment, but have no formed quarrell with them about this that I know of. We are willing to submit not onely, to the Ordinances of Christ, but to the just ordinances of man, and to yeeld for the common Peace and Tranquility of Christendome, rather more then is due, then lesse. But otherwise how was that unanimously agreed upon between the Churches of Rome and England, and so delivered by Fathers to Children as a thing accorded, whereof the Church of Rome is no better accorded within it self unto this day? I mean concerning the divine right of the Bishop of Rome to all the privileges of St. Peter, when the Popes greatest Champions maintein it so coldly as a thing that is *not improbable*; that *peradventure may be*, peradventure may not be, as grounded upon a *fact of St. Peter*, that is as much as to say not upon the Mandate of Christ?

And though wee should be so kind-hearted as to suppose that there is some part of Papall power, in the abstract not in the concrete, which is of Christs own institution, Namely, *The beginning of Vnity*, that is a power to Convoke the  
D Church,

Church, and to preside in the Church, and to pronounce the sentence of the Church, so far and no further then power purely spirituall doth extend; although there be no speciall mandate of Christ to that purpose, for one to be the successour of S. Peter, or any prime or chiefe of all other Bishops: yet in the Iudgement even of the greatest opposers of Ecclesiasticall Hierarchy, it is the dictate of nature that one should preside over the rest, *Ex dei ordinatione perpetua necesse fuit, est & erit, ut in Presbyterio quispiam & loco & dignitate primus actioni gubernanda præsint.* Yet what is this to that great Bulke of Ecclesiasticall Authority which hath been conferred upon that See by the decrees of oecumenicall councils; and by the Civill Sanctions of Christian Emperours. which being Humane Institutions may be changed by Humane Authority? Can one scruple of divine right convert a whole masse of Humane right into divine? Wee see Papall power is not equall or alike in all places, but is extended or contracted variously according to the different Privileges and liberties of severall Churches and kingdomes. We see at this day the Pope hath very little to doe in *Sicily*, as I have shewed in my Vindication of the Church of England

Beza  
defens.  
pag.  
153.

England), by reason that one of his Predecessors long since hath alienated in a manner the whole Ecclesiasticall Iurisdiction to the Sovereign Prince of the Country and to his Heirs. Wee may call it by deputation or delegation . but this is plain, it is to him and his Heires for ever. This is certain , divine right cannot be extended or contracted; There is no Privilege or prescription against divine right, That which belongeth to one person by divine right cannot be alienated to another person by humane right ; for then Humane right should be stronger then divine right.

In summe although there be some colour or pretext of divine right for a beginning of Vnity, wheresoever the Catholick Church should fix it, yet it appeareth evidently by the Vniversall practice of the Christian world in all ages, that there is no Colour nor so much as a shadow of divine right for all the other Branches of papall power , and those vast Privileges of the Roman Court. In the Councell of Constance they damned most of the Articles of *John Wickliffe* down right without hesitation ; but when they came to the one and fortieth Article (*It is not necessary to Salvation to believe that the Roman Church is supreme* *Concil. Constant. Sess. 8.*

among other Churches,) they paused and used some reservation, *It is an error if by the Roman Church he understood the Unversall Church, or a Generall Councell, or for as much as he should deny the primacy of the Pope above other particular Churches, Their judgement is clear enough, they yeilded to the Pope primatum not suprematum. A primacy of Order not a supremacy of power; They made him a beginning of Vnity to all particular Churches, Yet subjected him to the Unversall Church; They looked upon him as Highest Bishop, and Successour of St. Peter, but they believed that a Generall Councell had power to shake his Candlestick, and remove it, if they found it expedient for the good of Christendome.*

If he come so far short of divine right in his faire pretensions; by what right will he seek to justify all his foule Vsurpations and enchroachments, which have no decree of any Oecumenicall councell to warrant them, no Imperiall Institntion to authorise them; which have no foundation but the Popes own decretalls? But I reserve a full account of this for the next part of my Answer, Onely Reader be pleased to take notice, that it behooved *Mr. Serjeant* to have proved his Traditions clearly and



and distinctly, as to those parts of Papall power which are controverted between us in earnest, with the Vniversality of it, and the perpetuity of it. This he neither doth nor attempteth to doe, nor in deed is he or any other able to doe, but meerly presumeth it, and flubbereth over the mater in deceitfull Generalls.

*Sect. I. Cap. III.*

Wee are come now to the last part of his demonstration, which was the Minor or Assumption of his former Syllogisme, That *the Church of England in Henry the eighths dayes did breake these Rules of Vnity upon probable reasons, not convincing grounds.* Which being the main question, he should have fortified with proofes: but he according to his Custome thinks to carry it with confidence and clamours, *Does not all the World grant and hold that King Henry denied the Popes Supremacy: Does not all the World see that the pretended Church of England, stands now otherwise in Order, to the Church of Rome, then it did in Henry the seventh's dayes? &c.*

*Was Papall power cast out before? was it not in actnall force till and at that time?*

*Wee beg nothing gratis, but begin our Proceſſe upon Truth acknowledged by the whole World. What Papall power king Henry did caſt out, and what Papall power we hold out, I ſhall demonſtrate to the World, not confuſedly but diſtinctly, by ſuch prooſes as are not to be gainſaid for matter of fact.*

But before I gird my ſelf to the worke, it will not be amiſſe for the freeing of the Cauſe from future Cumber about them, to give Satisfaction to his two Circumſtances, that wee did it onely upon probable reaſons, And in the dayes of king

*Mention of exceptions hereim pertinent.* Henry the eighth.

For the firſt, he keepeth a great ſtirre and buſtling every where about our probable reaſons, and the nature of our Exceptions. And he would make his reader believe that I have omitted this part of his words Guilefully. All which diſcourſe is ſuperfluous

*Schiſm. diſpar. pag. 477.* and impertinent. For if he could make good his Concluſion that wee have caſt out that which Chriſt himſelf did ordein in holy Scripture, no reaſons nor exceptions can be ſufficient or ſo demonſtrative and convincing as to juſtify a wilfull violati-

*Mat. 15. 13* on of Chriſts own ordination. Every Plant (ſaith our Saviour) which my heavenly father

*ther hath not planted shall be rooted up.* But if this be Christs own Plant which he himself hath planted, to goe about to root it up were plainly to fight a gainst God. We renounce all reasons and all exceptions against Chrills own ordination. His very intimation that wee might doe what we did upon demonstrative reasons, is an implicit Confession, that it was not against Christs own ordination.

There was no need why I should meddle wick mine own exceptions here, That was his office in *the position of the Case*. That case is meanly and partially stated, which is stated but on one side, he ought to have included my Exceptions in his case Besides I was sure to meet wick my exceptions in every Section, and there fore reserved them for their proper-places, as being loath to offend the Reader wick twice soddencole-worts. But let him not feare that I will relinquish my *Exceptions*, I shall maintain them to be demonstrative of the Popes Vsurpations in England, and leave them freely to try it out with his *Demonstrations*.

The second Circumstance is concerning the time when the breach is supposed to *The first* have been made, *In the dayes of Henry the breach*

before  
Henry  
the 8.  
was bor-  
ne.

*eighth*; And it is thus far true, that then the breach was declared, and the War proclaimed to all the World: but this breach was making long before Henry the eighth was born; from the dayes of Pope *Hildebrand* for about four hundred yeares. There was no open hostility indeed between the Court of Rome and the Church and Kingdome of England: but they were still upon their Gards, and still seeking to gaine ground one upon another, as appeareth by the decrees and Lawes and Machinations of those times. A breach in a strong Tower is long making before the Walls tumble visibly down; A Scathfire is long kindling before it breake out in an universall flame. A Cronicall disease is long gathering and forming before the certain Symptoms there of doe appeare. We use to say *the second blow makes the fray*, but the first blow makes the Battery and the guilt. All that time that they were forcing their grosse usurpations upon us, the Breach was making.

Every  
one in-  
volved  
in a

I have done wick his two Circumstances, The Substance of his Assumption remains

*Schism. is not a formall Schismatick,*

maineth. But before I grapple with him about that, give me leave to lay down four grounds or Considerations, so indifferent that no rationall man can deny them. The first is that every one who is involved materially in a Schism is not a formall Schismatick, no more then shee that marrieth after long expectation, believing and having reason to believe that her former Husband was dead, is a formall Adultresse, or then he who is drawn to give divine Worship to a creature by some misapprehension, yet addressing his devotions to the true God, is a formall Idolater. A man may be *Baptisatus voto* (as *S. Ambrose* said) baptised in his desire, and God Almighty doth accept it; why may he not as wel Communicate in his desire, and be accepted with God likewise? If *S. Austin* say true of Heresy, that. *He who did not run into his Errour out of his own overweening presumption, nor defends it pertinaciously, but received it from his seduced parents, and is carefull to search out the truth, and ready to be corrected if he find it out, he is not to be reputed among Hereticks.*

It is much more true of Schism, that he who is involved in Schism through the error  
of his

*Ezech.*  
 162.

of his Parents or Predecessors, who seeketh carefully for the Truth, and is prepared in his mind to embrace it whensoever he finds it, he is not to be reputed a Schismatick. This very Bond of Vnity and preparation of his mind to peace, is an implicit renunciation and abjuration of his Schism before God. This is as comfortable a ground for ignorant Roman Catholicks, as for any persons that I know, Who are hurried hoodwinked in to erroneous tenets as necessary points of faith, and Schismaticall Practises, meerly by the authority, and to uphold the interest and ambitions or avaricious courses of the Roman Court.

*Ezech.  
18. 24  
wee are  
not char-  
gable  
with the  
excesses  
of our  
Prede-  
cessours.*

My second ground is this, God almighty doth not approve of that unequall proverb, *The Fathers have eaten sowre Grapes and the Childrens teeth are set on edge.* Posterity is not guilty of their Ancestours transgressions, further then they doe either imitate them or maintain them. Suppose these calumnies had been truths which some have belched forth against our Reformers, that they had Sacrilegious or other sinister ends, it signifieth nothing to us, so long as wee neither justify them, nor imitate them. *Iehues* heart was not over upright; and yet God himself approved

proved his Reformation. Suppose any of our Reformers have run into any excesses or extremes, either in their expressions, or perhaps in their actions, ( it is a difficult thing in great changes to observe a just meane, ) it may be out of humane frailty, as Lycurgus out of hatred to drunkenness, cut down all the Vines about *Sparta* : or it may be out of Policy, as men use to bend a crooked Rod, as much the contrary way to make it streight: or as expert Masters in Musick doe sometimes draw up their Scholars a note too high, to bring them to a just tone. What is that to us so long as we practise the meane and maintain the mean, and guide our selves by the certain line and Levell of Apostolicall and primitive Tradition. Charity commands us to thinke well of our Predecessors, and Theology to look well to our selves.

Thirdly, that difference which divines doe make between affirmative and negative precepts, that affirmative bind al-ways, but not to all times, *semper* but not *ad semper*. A man is bound alwayes to pray, but is not bound to the actual exercise of prayer at all times, but negative precepts bind both *semper* and *ad semper*. The same I say of affirmative and negative presidents, affirmative presidents

prove



prove alwayes that such a fact was done, and it may be that it was justly done at that time in that case, but they prove not a right *ad semper*, to doe it at all times The reason is evident, Particular Acts may be done by Connivence, or by speciall License; but a Generall Prohibition implyeth a perpetual right. As for instance I produce Negative Presidents, both Generall Lawes against all appeales to *Rome*, that no man may appeale to the Pope without the Kings License, and Particular Prohibitions out of the Kings Courts, by form of ordinary Iustice, against such and such Appeales or such and such Sentences upon Appeales, This argueth a perpetuall Right to forbid Appeales, whensoever it is Iudged expedient: On the otherside he preducerh Presidents of Particular Appeales to *Rome*, (which he may doe of later Dayes, but for the First eleven hundred yeares it was not so, This Proveth onely the Kings License or Connivence in such cases, it doth not prove a perpetuall Right, because two perpetuall Rights contradictory one to another can not be.

negati-  
ve Pre-  
sidents  
prove  
more  
strongly  
then af-  
firmati-  
ve.

My fourth and last ground is, that neither King *Henry* the eighth nor any of our Legislators, did ever endeavour to deprive the Bishop of *Rome* of the power of the

Keys

Keys or any part thereof, either the Key Order or the Key of Iurisdiction, I mean iurisdiction purely spiritual which hath place onely in the Inner court of conscience, and over such persons as submit willingly. Nor did ever challenge or endeavour to assume unto them selves either the Key of order or the key of jurisdiction purely Spirituall. All which they deprived the Pope of, all which they assumed to themselves, was the external Regiment of the Church by Coactive power, to be exercised by persons capable of the respective Branches of it. This Power the Bishops of Rome never had, or could have justly over their Subjects but under them whose subjects they were. And there fore when wee meet with these words or the like, that *no forrein Prelate shall exercise any manner of power Iurisdiction Superiority, Preheminence or Privilege Ecclesiasticall or Spirituall within this Realme*, It is not to be understood of internal or purely Spiritual power in the court of conscience, or the power of the Keys: (Wee see the Contrary practised every day:) but of external and coactive power in Ecclesiasticall causes *in foro contentioso*. And that it is and ought to be so understood; I prove clearly by a Proviso in one main Act of Parliament, and a Canon of the English Church.

First

XXV. First the Proviso is contained in the Act  
 Hen. 8. for the Exoneration of the Kings Subjects  
 ca. 12. from all Exactions and Impositions paid to  
 the See of Rome. *Provided alwayes this Act*  
*nor any thing therein contained shall be here after*  
*interpreted or expounded, that your Grace your*  
*nobles and Subjects intend by the same to decline*  
*and Vary from the Congregation of Christs*  
*Church, in any things concerning the very Ar-*  
*ticles of the Catholick Faith of Christendome,*  
*or any other things declared by the Scripture and*  
*the Word of God necessary for your and their*  
*Salvations; but onely to make an Ordinance*  
*by Pollicies necessary and convenient to repressse*  
*Vice, and for good Conservation of this Realm*  
*in Peace Unity and Tranquility, from ravine*  
*and Spoile, insueing much the old ancient Custo-*  
*mes of this Realme in that behalfe. They pro-*  
*fesse their Ordinance is meerly Politicall;*  
 What hath a Politicall Ordinance to doe  
 with power purely Spirituall? They seek  
 onely to preserve the kingdome from ravin  
 and Spoile; Power purely spirituall can  
 commit no Ravin or Spoile. They follow  
 ancient Customes of the Realm There was no  
 ancient Custome of the Realm for aboli-  
 tion or translation of power purely spiri-  
 tuall. They professe all Conformity to  
 Holy Scriptures; but the power of the keys  
 was

was evidently given by Christ in Scripture to his Apostles and their Successors, not to Sovereign Princes. If any thing had been contained in this Law for the Abolition or Translation of power meerly and purely Spirituall, it had been retracted by this Proviso at the same time it was enacted.

The Canon is the 37. Canon, where we give the Kings Majesty the Supreme Government, *Wee doe not give our Kings either the Administration of Gods word or Sacraments, which the Injunctions published lately by Queen Elisabeth doe most evidently declare, but onely that Prerogative which wee see to have been alwayes attributed to all Godly Princes by himself in holy Scripture, That is, to preserve or contain all Estates and Orders committed to their trust by God, whether they be Ecclesiasticall or Civill in their Dutes, and restrain contumacious Offenders with the Civill Sword.* You see the Power is *Politically*, the Sword is *Politically*, all is *Politically*. Our Kings leave the power of the keys and Iurisdiction purely Spirituall to those to whom Christ hath left it.

*Seet. I. Cap. IV.*

And now having dispatched the Circum- *The Po-*  
stances out of my way, and laid down some *pe and*  
*ne.*

*Court of* Necessary grounds; I come directly to the  
*Rome* Substance of his Assumption, and affirm,  
*did* That neither the King of *England*, nor  
*break* the Church of England, neither Convoca-  
*the* tion nor Parliament, did breake his two  
*bonds of* Necessary Bonds of Christian Vnity) or ei-  
*unity* ther of them, or any part of either of them.  
*not we.* But that the Very Breakers and Violaters  
of these Rules were the Pope and Court of  
*Rome*, They did breake his Rule of Faith,  
by adding new points to the Necessary  
Doctrin of saving Truth, which were not  
the Legaceyes of Christ and his Apostles,  
nor delivered unto us by Universall  
and perpetuall Tradition. The Pope and  
Court of Rome did breake his second  
Rule of Vnity in Discipline, by obtruding  
their excessive and intolerable usurpations  
vpon the Christian world, and particularly  
upon the Church of *England*, as necessary  
Conditions of their Communion.

It appeareth plainly by comparing that  
which hath been said with his positiō of the  
case, that after all his Braggies of *undeniable*  
*evidence* and *unquestionable certeintry*. he hath  
quite missed the question. We joine with  
him in his rule of Faith, Wee oppose not  
*St. Peters* Primacy of Order, and he him-  
self dare not say that *St. Peter* had a larger,  
or more extended power then the rest of  
his

his Fellow Apostles. And though wee cannot force our understandings to assent, that after the death of *S. Peter. Linus, or Cleins, or Clemens*, or *Anacleus*, were Superiours to *S. Iohn*, and had actuall Iurisdiction, over him, who had as large a commission immediately from Christ as *S. Peter* himselfe, and larger then any succeeding *Romane Bishop* ever had: Yet to shew him how little wee are concerned in it, and for his clearer conviction, wee are willing to suppose that they were his Superiours, and give him leave to make all the advantage of his second Rule which he can in this cause.

And here if I regarded not the satisfaction of my self and the Reader more then his opposition, I might withdraw my hand from the Table. But I am so great a Friend of Ingenuity, that I will for once discharge his Office, and shew the World demonstratively and distinctly, what Branches of Papall power were cast out of *England* by *Henry* the eighth; upon which consideration the weight of the whole Controversy doth lye. For it is agreed between us, that if it appeare by rigorous Evidence, that all those Branches of Papall power, which were renounced and cast out of *England*

E by

by *Henry the eight* were grosse *Vsurpattons*, then his renouncing was no criminall Breach, but a lawfull self enfranchisement. And by undeniable consequence the Guilt of schism resteth upon them who made the *Vsurpattons*, that is, the Pope and Court of *Rome*. I adde further upon the equity of my second Ground; that although *Henry the eight* had cast out something more then he ought, yet if wee hold not out more then wee ought, and be ready to admitt all which ought to be admitted by us, then we are innocent and free from the Guilt of Schism and it resteth soly upon them, who either will have more then their due or nothing. Wheresoever the fault is; there the Guilt of Schisme is: If the fault be single, the Guilt is single, if the fault be mutuall, the Guilt is mutuall.

What  
bran  
ches of  
Papal  
power  
were  
cast out  
of En-  
gland  
by Hen-  
ry the 6.

And for *rigorous Evidence*, There cannot possibly be any Evidence more demonstra-  
tive what Papall power was cast out of *En-  
gland*, then the very Acts of Parliaments  
themselves, by which it was cast out. Let  
us view them all. The first Act made in the  
Reign of *Henry the eight*, which hath any  
referente to *Rome*, is the Act for holding  
*Pluralities of Benefices against the lawes of the  
land by dispensation from the Court of Rome,*  
making licenses for non Residence from the

Court



*Court of Rome to be voided, and the party who procureth such Licenses for Pluralities or Non-residence to forfeit twenty pounds, and to lose the profits of that Benefice which he holdeth by such dispensation.* It were a pretty thing indeed, if the Church and Kingdome should make necessary lawes, and the Pope might give them liberty to break them at his pleasure.

23.  
Hen. 8.  
cap. 9.

The second Act is, that *No person shall be cited out of the diocesse where he dwelleth, except in certain cases.* Which though it may seem to reflect upon the Court of Rome: yet I do not find that it is concerned in it, but the *Archies, Audience, and other Archiepiscopall Courts* within the Realm.

The third Act is meerly declarative of the law of the land, as well the Common lawes as the Statute lawes, and grounded wholly upon them, as by the View of the Statute it self doth appeare. So it casteth out no forraine power, but what the lawes had cast out before. The summe of it is this, That all Causes *Matrimoniall, Testamentary, or about Tithes &c.* shall be heard and finally judged in *England*, by the proper Iudges Ecclesiasticall and Civill respectively, and not elsewhere notwithstanding any forrein Inhibitions Appales, Sentences, citations, suspensions, or Excommunications. And that if any English Subject procure a Pro-

24.  
Hen. 8.  
ca. 12.

cesse Inhibition Appeale, &c. From or to the Court of Rome, or execute them to the hinderance of any processe here, he shall incurre the Penalties ordained by the Statute of provision or premunire, made in the sixteenth yeare of King Richard the second, against such as make provision to the See of Rome. This law was enlarged afterwards to all causes of Ecclesiasticall cognisance, and all appeales to Rome forbidden.

25 He.  
8.c.19.

The fourth Act is an Act for punishing of Heresy. Wherein there are three clauses that concern the Bishop of Rome. The First is this, *And that there be many Heresies and paines and punishments for Heresies, Declared and ordained in and by the Canonickall Sanctions, and by the Lawes and Ordinations made by the Popes or Bishops of Rome and by their Authorities, for holding, doing, preaching of things contrary to the said Canonickall Sanctions Lawes and Ordinances, which be but humane, being meer repugnant and contrarious to the royall Prerogative, Regall Iurisdiction, Lawes Statutes and Ordinances of this Realm.* The second Clause is that, *No License be obtained of the Bishop of Rome to Preach in any part of this Realm, or to doe anything contrary to the Lawes and Statutes of this Realm, or the Kings Prerogative Royall.* The third Clause followeth, *That the Decrees of the Bishops*

25 He.  
8.c.14.

*Bishops of Rome, not confirmed by Holy Scriptures, were never commonly attested to be any Law of God or man within this Realme. And that it should not be deemed Heresy to speak or doe contrary to the pretended power or Authority of the Bishop of Rome, made or given by Humane Lawes and not by Scriptures; nor to speake or Act contrary to the Lawes of the Bishop of Rome, being contrary to the Lawes of this Realm.*

The Fifth Act is an Act concerning the Submission of the Clergy to the Kings Majesty, The scope of it is this, That the Clergy shall not assemble in Convocation, nor make or promulge any new Canons, without the Kings License. Hitherto there is nothing new in point of Law. Then, that the King should have power to name and constitute, two and thirty Commissioners, sixteen of the Clergy, and other sixteen of the Peers and Parliament, to view the Ecclesiasticall Lawes of the Kingdome, and declare which were fit to be retained, and which were to be abrogated. The same Law is confirmed and enlarged.

25. H.  
8.c.19.

27. H.  
8.c.15.

The Sixth Law restraineth the payment of Tenths and First Fruits to the Bishop of Rome. And prescribeth how Arch-bishops, Bishops &c. are to be elected and consecrated within the Realm,

without payment of any thing to Rome for Bulls and Pals &c.

25. He: 8. The seventh law is , an *Act of Exoneration of the Kings subjects from exactions and impositions heretofore paid to the See of Rome, for Pensions , Peterpence , Licenses , Dispensations , Confirmations , faculties &c. and for having licenses and dispensations within the Realm , without further suing for the same ; As being Vsurpations contrary to the law of the land.*

26. H 8. The eighth Act is Concerning the Kings Highnesse to be supreme Head of the Church of England (that is Politicall head) and to have Authority to redresse all Errours, Heresies and Abuses in the same. That is to say , with externall Coactive Iurisdiction. Wee never gave our Kings the power of the Keys, or any part of either the Key of Order , or the Key of Iurisdiction purely Spirituall: but onely that Coactive power in the externall Regiment of the Church , which their Predecessors had alwayes enjoyed.

H. 8. The Ninth Act is for the annexing Tenths and first fruits to the Crown, for the better supportation of the Burthens of the Commonwealtb.

28. H. 8. The tenth Act is an *Act extinguishing the Authority of the Bishop of Rome, or extirpating it out of this Realm. That is, Not the Bishop of Romes Primacy of Order , Not his beginning*

*ning of Vnity*, Not that respect which is due to him as Bishop of an Apostolicall See. If he have not these it is his own fault. This is not our quarrell. It is so far from it, that we do not envy him any just legacies of Christian Emperours or Generall Councils. But that which our Ancestors did extinguish and endeavour to extirpate out of *England*, was the Popes externall Coactive power over the Kings Subjects *in foro contentioso*, as we shall see by and by, when we come to state the quarrell rightly between us.

After this Act there followed an eleventh *He. 8.*  
 Act made for corroborating of this last Act, *cap. 5.*  
*to exclude the usurped power and Iurisdiction of the Bishops of Rome.* And both these Acts are backed with new Oaths, as those times were fruitfull of Oaths, such as they were.

The last Act of any moment, was an Act *35.*  
*of Ratification of the Kings Majesties Style of H. 8.*  
*Supreme head of the Church of England* making it treason to attempt to deprive the King of it. But as well the eighth Act which gave the King that title of the Head of the Church, as this twelfth Act which makes it treason to attempt to deprive the King of it, are both repealed, and never were restored. So are likewise the tenth Act of extinguishing the Authority of the

Bishop of Rome; and the eleventh act made for corroboration of that Act with both their Oaths included in them.

- I. El.** All that hath been added since of moment  
**C.I.** which concerneth the Bishop of Rome is one Act, *Restoring to the Crown the ancient Jurisdiction over the State Ecclesiasticall and Spirituall, and abolishing all forraign power repugnant to the same.* Here is no new power created in the Crown, but onely *an ancient Jurisdiction restored.* Here is no forreign power abolished, but onely that *which is repugnant to the ancient Lawes of England and to the Prerogative Royall.* In a word, here is no power ascribed to our Kings but meerly Politicall and Coactive, to see that all their Subjects doe their Dutyes in their severall places. Coactive power is one of the Keys of the Kingdome of this world, it is none of the Keys of the Kingdome of Heaven. This might have been expressed in Words lesse subject to exception. But the case is clear. The Grand Act xxv. *Hen.* 8. cap. 12, The Injunctions of Queen *Elizabeth*, The Articles of our Church Art. 37. doe all proclaime that this power is merely Politicall. Christ gave *St. Peter* a Commission to preach, to baptise, to bind and loose in the Court of Conscience: but where did he give him a Commission to give Li-
- cen-

censes, to grant Facultyes, to make Lawes, to dispense with lawes to receive appeales, to impose Tenths and First fruits in other mens Kingdomes, whether the right owner will or no ? Who gave him power to take other mens Subjects against their Wills to be his Officers and Apparitors ? That is more power then Christ himself did challenge here upon Earth.

Luke.  
12. 14.

And now Reader take a Stand and looke about thee ; See among all these Branches of Papall power which were cast out of England, if thou caust find either of *St. Peters Keys*, or his *Primacy of Order*, or his *Beginning of Unity*, or anything which is purely Spirituall, that hath no further influence then merely the Court of Conscience. No: but on the other side behold a pack of the grossest Usurpations that ever were hatched, and all so late, that is was above a thousand years after the death of *S. Peter*, before any of his pretended Privileges did see the sun in *England*; observe them one by one.

21.

The first is a power to dispense with English Subjects for holding Plurality of Benefices contrary to the Lawes of England, And for non Residents contrary to the Statutes of the Realm. It had been much to have made Merchandise of his own Decrees ; but to Dispense with the Lawes of the Land,

Hen. 8.  
ca. 13.

Non



*Non auderet hac facere Vidua mulieri.* He durst not doe so much to a poore widow woman, as he did to the Church and Kingdome of England, to dispense with their Lawes at his pleasure. It is but vain for the Flower of our Kingdome to assemble and consult about healthfull Lawes: if a Forrainer have power to dispense with the breach of them as it seemeth good in his Eyes, They might as well sit them down quietly & fall to pilling of rushes,

The second Branch of Papall power which was Excluded out of England, was the Popes Iudiciary power. I doe not mean in Controversies of Faith when he is in the Head of a councell; Yet *Eugenius* the fourth confesseth that *in points of Faith the sentence of the councell is rather to be attended then the sentence of the Pope.* But I mean in points of *meum* and *bullae* 3. *tuum*, not onely in some rare cases between Bishop and Bishop, which had been lesse intollerable, and had had more shew of Iustice: but generally in all cases promiscuously; as if the whole nation wanted either discretion or Law to determin their own differences at home, without the help of the

24.  
Hen. 8  
cap 12. Roman Courtier to squeeze their purses. It was not *Henry* the eighth, but the old Lawes of England which gave them this blow against Appeals to Rome.

The

The third Branch of papall power which was turned out of England by Henry the eighth was the Popes Legislative power, especially in making new Heresies by his own Authority, and for his own Interest, prescribing the punishment, as if all the world were his Subjects. Mr. Serjeant may be pleased to inform himself better, that the Popes Canons and decretalls never had since the First Conversion of *England* the force or power of Lawes in *England*, untill they were received by the Nation, nor then any further then they were received.

The fourth Branch is the Sovereign patronage of the English Church with all those rights and appurtenances which belong thereunto, as to convocate the clergy, and Dissolve their Assembly, To exempt their persons from secular Iudgement, To have the Disposition of Ecclesiasticall Dignities and the Custodium of them in the Vacancy. But these things are so notorious, to all those who are acquainted with the Ecclesiasticall Customes of *England*, that there can be no manner of Question of it. The Convocation was alwayes called and dissolved by the absolute and precise Mandate of the King to the Arch-Bishop; Yea even when the Arch-Bishop was the popes

Popes legate, and when he might have challenged, another right, if the Pope had had any pretense. The temporalities of the Bishopricks in the Vacancy were ever seised into the hands of the King, untill he granted out his Writ of *Manum amoveas*, or *Oster la main*: If ordinary Patrons did not present in due time to a benefice, it devolved to the Ordinary, and from him to the King, there it stayed, *Nullum tempus occurrit Regi*.

The fifth Privilege was the receiving of Tenths and First fruits, which were a late encroachment of the Bishop of Rome upon the Clergy, without any just ground, and upon that score were condemned in the Councells of *Constance* and *Basile*, and now were seised into the Kings hand towards the discharge of the Ecclesiasticall Burthens of the Kingdome.

The last perqnisire whith the Pope lost was all the profits of his Court, by Bulls, and Palls, and Pensions, and Reservations, and Exemptions, and Licenses, and Dispensations, and Confirmations, and Pardons, and Indulgences, and an hundred other pecuniary Artifices practised in his Court at Rome, and in his Legantine Courts and Nunciatures abroad. But this abuse is so foule, that the Popes own selected Cardinalls doe cry shame

cry shame upon it, as much as wee, and lay down this general Rule, That it is not lawfull Conf. 10 make any gain by the exercise of the Keys, delict. seing wee have the firm word of Christ, freely ye Card. have received, freely give, &c. For as the use which now prevaileth doth disgrace the See of Rome, and disturbeth Christian people; so the contrary practice would bring much honour to this See, and marvellously edify the people.

These are the reall differences between *The true* the See of Rome and the Church and King- *differe-* dome of England concerning the papacy. *rence* all these altercations which wee have about *about* Thou art Peter, and the Keys given to St. *the Pa-* Peter, and Feed my Sheep, and I have prayed *pacy.* for thee; are but like to the tinkling of Cybeles Priests upon their Cymballs, on purpose to deafe the eares of the Spectators, and to conceale the Cryes and ejulations of poore oppressed Christians. To reduce them into a little better Method then they lye in the Statutes.

The maine questions are or may be reduced to four heads. The first grand question is concerning the Sovereignty of the English Church in respect of the externall Regiment thereof. This hath four subordinate Branches.

**First**

First who is the right Patron of the English Church under God, the King or the Pope? Secondly, who hath power to Convoke Synods of the Kings subjects within England, The King or the Pope? Thirdly, whether the Pope have justly imposed new Oaths upon the Arch Bishops and Bishops? fourthly whether Tithes and first fruits in England be due to the See of *Rome*.

The second question is concerning the Popes legislative power. Whether the Canon law or the decretalls have been anciently esteemed binding lawes in *England* or ought to be so esteemed, except they be received by the English Nation, and metriculated among our lawes.

The third is concerning his judiciary power, Whether the Bishop of *Rome* can receive Appeales from *England* by the Ancient lawes of that Land, and send for whom he pleaseth to *Rome*? 2. Whether Bulls and Excommunications from *Rome* can be lawfully executed in *England*, except the King give leave for the execution of them? 3. Whether the Pope can send Legates and set up Legantine Courts in *England*, by the Ancient lawes of that Realme.

The fourth Difference is concerning the popes dispensative power, whether the Pope can dispense with the lawes of *England*

gland? 2. Whether we stand in need of his dispensations?

In every one of these differences wee maintein that the Bishop of *Rome* and the Court of *Rome* have been guilty of most grosse Vsurpations.

*Sect I. Cap V.*

To begin with the first. If it were necessary to call in any forreyne subsidiary whom Supplies for the further fortifying of the *the patro* King of *Englands* Sovereign Patronage *nage of* under God of the Church within his Ter- *the En* ritories; I might find strong recruits from *glisb* the Greek Emperours, to shew that they Church alwayes practised this power within their *doib of* Dominions, to place Bishops in vacant *right be* Sees: and that the Contrary was *hactenus long* *inaudium*, never heard of in *S. Gregories* dayes. To them I might adde the French *Greg.* and Germane Emperours, who not onely *lib. 4.* enjoyed the same privilege by ancient Cu- *Regist.* stome, but to whom the Roman Bishops *indict.* disclaimed it, with all their Clergy *13. cap* *78.* *Iud.* *Adrian* the first to *Char-* *78.* *les* the greate, Anno 774. And *Leo* the eighth to the Emperour *Otho*, Anno 964. I might produce the presidents of the Spanish Monarchs *Conc. Tolet; 12, cap. 6.*

It

It were a most unreasonable thing that So-  
 veraign Princes should be trusted with the  
 Government of their people, and have  
 their Bishops, who must participate in the  
 Government, by informing the consciences  
 of their Subjects, be obtruded on them by  
 Strangers. I cannot omit the observation  
 of a Learned Bishop, That, *Quacunque ra-*  
*tione ad pontificatum pateret ingressus, nemo*  
*Apostolica Cymba gubernacula capessebat, ni-*  
*prius Imperatoris auctoritas intercessisset, By*  
*what way soever the Election of the Pope was*  
*made (And Bellarmine, mentioneth seven*  
*changes in the manner of choosing the Po-*  
*pe.) Yet no man was ever admitted to the actuall*  
*Government of the Apostolicall See, without the*  
*Emperours confirmation.*

*Bell. de*  
*cler. lib.*  
*1. ca. 9.*

But our case is strong enough without  
 twisting any forrein presidents with it.  
 William the conquerour, William Rufus, and  
 Henry the first, did enjoy the right of placing  
 in vacant Sees by the tradition of a Ring  
 and of a Crosier staffe, without ever seek-  
 ing for Forrein approbation, or ordina-  
 tion, or confirmation, as their Predeces-  
 sors Kings of *England* and *Britain* had done  
 before them. Els it had been very strange,  
 The *Roman Rota* will give decisive Sentence,  
 for him to be Patron of a Church who  
 first



first builded it and endowed it. But then after Eleuen hundred years were effluxed, (a strange time to set up a divine right,) Gregory the seventh (otherwise called Pope Hildebrand) and after him Pope Calixtus did condemne all Investitures taken from a Lay hand, and prohibit the Arch Bishops to consecrate any persons so invested, *Presens adivi in Romano Concilio prohiberi*, saith apud Anselm, I heard it with mine own eares prohibited in the Roman Court. But what were their reasons? I believe, not overrigorous Demonstrations. The first was frequent suspicion of Simony; An unheard of piece of Injustice to take away an hereditary right for suspicion of a personall fault. The second and third reasons are contained in the letter of Adrian the fourth to Frederick the first, Apud Goldast: *Ab his qui Dii sunt & filii excelsi omnes, homagium requiris, Fidelitatem exigis, & manus eorum sacratas manibus tuis innectis*, Thou requirest homage of those who are Gods, and all the Children of the most High, thou exactest an Oath of Fidelity and knittest their sacred hands with in thy hands. A strange presumption in a Sovereign Prince, if you marke it well, to hold his subjects hands within his Hands, whilest he was swearing his Allegiance;

F

But

But the maine exception was the Homage or Oath of Fidelity it self. And was it not high time thinke you to except against their swearing of Fidelity to their Native Prince, whom the Bishops of Rome intended to exempt from his Iurisdiction, and to make them turn Subjects to themselves: as they did in a great part effect it very shortly after. Then was the time where of *Platina* speakes, that *there was great Consultation about the Homage and Fealty and Oaths of Bishops, which in former times were sworn to lay men.* Were they so indeed? Here is an ingenuous Confession of the Popes own Library Keeper.

*Plat.*  
*in*  
*Pasch.*  
*2.*

*Mat.*  
*Par. an*  
*1229.*

Indeed at the first whilest they were robbing the King of the Jewells of his Crown, they preached up nothing but free Elections: but after they had onte seised their prey, they changed their once forthwith to *Dei & Apostolica Sedis Gratia*, By the Grace of God and the Apostolique See: Or *ex plenitudine Ecclesiastica potestatis* out of the Fulnesse of our Ecclesiasticall power. And when this Bell had rung out a while, Egypt never a bounded more with Caterpillars, then our Native Country did with Provisions, and reservations, and Pensions, with all the hellish arts of Sublimated Simony.

Then

Then our best dignities and Benefices were filled with Strangers (who could not speak an English word, nor did ever tread upon English ground,) dayly more and more untill these well chosen Pastors who knew how to sheare their Flocks, though they did not know how to feed them, received yearly out of the Kingdome more then the revenues of the crown. He were very simple who should thinke the Court of Rome, did not lick their own Fingers.

Mat.  
Par. m.  
Hen. 3.  
an.

1345.

There remaineth but one thing to be done, to stick the Guilt of this intolerable Vsurpation undeniably upon the See of Rome that is to shew that the Investiture of Bishops was the undoubted right of the Crown

This is as cleare as the Sun, both in our most Authentick Historiographers, and records if I had the meanes to producethē, and also in our ancient Lawes published long since to the world in print, and these not enactive of new law, but declarative of the fundamentall law of the land.

First for our Histories *Gervasius Dorobernensis* relateth that *Lanfrank* desired of *William* the conquerer the Patronage of the Abby of *S. Austin*: but the King answered, *Se velle omnes baculos pastorales in manu tenere*

That he would keep all the Crosier staffes (that is the Investitures) in his own hand. The same is testified of *Anselm* himself by one whole Authority cannot be doubted of, He (*An-*

*Eadm.* *lib. 1.* *pag. 20.* *Predecessor* after the manner and Example of his *Predecessor* was inducted according to the Custom of the Land, and did Homage to the King (*homo Regis factus est*) as *Lanfranke* (his *Predecessor* in the Archbishoprick of Can-

*Eadm.* *lib. 1.* *pag. 18.* *terbury*) in his time had done. And the manner of his Investiture is related, how the *Bishops* pulled him, and haled him as it were by violence to the Kings bedside (*William Rufus*) where he lay sick, and helped to thrust the Crosier staffe by force into his hand. Yet all that time, though *Anselm* had many other Pretenses, he had no exception against Investiture by a Lay hand: but shortly after it grew to such an height, (and *Anselm* was the chief Stickler in it) that *William* the Agent of King *Henry* the First protested openly to Pope *Paschall*,

*Eadm.* *lib. 3.* *pag. 73.* *Whatsoever is said on this side or on that, I would have all men here present to know, that my Lord the King of England, will not suffer the losse of his Investitures for the losse of his Kingdome. To whom Pope Paschall answered as resolutely, but not so justly, Know thou I speake it before Gods that Paschall the Pope will*

will not suffer him to keep them without punishment, no nor for the redemption of his head.

Neither was this the case of *Anselm* or *Lanfranke* alone, but the commō case of all Bishops in those dayes. Hear the confession of the same author, *To conclude, the very cause* Ead. mer. in prefat. pag. 2.  
 (of the difference between the King and *Anselm*) *seemed a new thing* (or innovation) *to*  
*this our age*, and unheard of *to the English*  
*from the time that the Normans began to Reign,*  
*(that I say not sooner,)* For from the time that  
*William the Norman conquered that Land,* no  
*Bishop or Abbat was made before Anselm,* who  
*did not first doe Homage to the King,* and from  
*his hand by the gift of a Crosier staffe,* receive the  
*investiture to his Bishoprick or Abbacy,* except  
*two Bishops of Rochester,* who were Surro-  
 gates to the ArchBishop of Canterbury and  
 inducted by him by the Kings Concession.

Yea by his Favour, so did *Anselm* him-  
 self, Though he sought afterwards to wave  
 it. And though he be loath to speak out  
 (That I say not sooner) Yet he might have said  
 sooner, and others doe say sooner; as *Ingulph*  
 the Abbat of *Crowland* in the time of the  
 Conquerer, For many yeares past there hath  
 been no free Election of Prelates, but the *malmsb.*  
 Kings Court did conferre all dignities ac- *de gest.*  
 cording to their pleasure, by a Ring and by *Reg. l. 2.*  
 a Crosier. And this Custome had held not *cap. 8.*

onely for Many yeares but for many Ages, king Edgar did grant to the monkes of Glaſtenbury the free Election of their Abbat for ever: but he reſerved to him ſelf and to his Heirs the power to inveſt the Brother elected by the tradition of the Paſtorall ſtaffe. Thus for our histories now for our Lawes where of I ſhall need to cite but three.

The Firſt is the Statute or *Aſſiſe* or *Memoriall* of *Clarendon* containing part of the ancient Liberties and Cuſtomes of the Re-  
alme, made in the Generall aſſembly of the Kingdome, King, Biſhops, Peers, to which they gave both their oathes aſſertory for the truth of it, and Promiſſory for performance of it. The fourth Cuſtome was this, that when an Arch Biſhoprick Biſhoprick Abbacy or Priory did fall void, the Election was to be made by ſuch of the Principall Dignitaryes or Members of that reſpective Church which was to be filled as the king ſhould call together for that purpoſe, with the kinges conſent, in the kings own Chappell. And there the perſon elected was to doe his Homage and Fealty to the King as to his Liege Lord, The Pope had no part to Act, neither to collate, nor conſent, nor confirm, nor Inſtitute, nor induct, nor ordeine.

the right  
to give

The Second Law is the Statute of *Carlile* made in the time of *Edward* the Firſt. The  
ſumme

summe of it is this, That the king is the Fount. Bishop-  
 der of all Bishopricks, and ought to have the Ricks in  
 Custody of them in the Vacancies, and the right Englad  
 of Patronage to present to them. And that the is the  
 Bishop of Rome usurping the Right of Patrona- Kings  
 ge, giveth them to aliens. That this tendeth to  
 the annulation of the State of holy Church, to the  
 Disinheriting of Kings, and the Destruction of  
 the Realm. And they ordained in full Par-  
 liament that this is an Oppression (that is as  
 much as an entroachment or Vsurpation) and  
 should not be suffered.

The third law was made in the 15<sup>th</sup> yeare  
 of Edward the third, called the Statute  
 of Provisors, wherein they affirm that Elec-  
 tions were First granted by the Kings Progeni-  
 tors upon a certain form or Condition to demand  
 License of the King to chuse, and after the E-  
 lection to have his Royall Assent. Which Con-  
 ditions not being kept, the thing ought by reason  
 to resort to his First nature. And there fore  
 conclude, that in case Reservation Collation  
 or Provision be made by the Court of Rome of any  
 Arch Bishoprick &c. Our Sovereign Lord the  
 King and his Heirs shall have and enjoy the  
 Collations for the same time to the said Arch  
 Bishopricks Bishopricks and other dignities E-  
 lective which be of his Anowre, such as his  
 Progenitors had before the free Election was  
 granted



granted. They tell the King plainly that the Right of the Crown of England and the Law of the Land is such, that the King is bound to make remedies and Lawes, against such mischiefes. And they acknowledge that he is *Advowee* *Par amon* immediate of all Churches, Prebends, and other *Benifices* which are of the *Advowry* of holy Church. That is as much as Sovereign Patron of the Church; Where no Election can be made without the Kings *Conzé d'Estre* or leave antecedent, nor stand good without his subsequent consent; it is all one as if the Crown did Collate.

I come next to the second Branch of the *the right* First Question, about the Patronage of the *to con-* Church, Who hath power to Convocate and Dissolve Ecclesiasticall Assemblies? and *vocate* whether the Crown or the Pope have usurped one upon another in this particular? I *English* cannot tell whether *Henry* the eighth or *Paul* the third, did mistake more about that *Synods is* *the* *Kings* title of the head of the english church *Henry* the eight supposing that the right to convocate and dissolve Ecclesiasticall Assemblies, and to receive Tents and First fruits, did essentially follow this Title; And *Paul* the third declaringe it to be Hereticall and Schismaticall. To be head of the English Church, is neither more nor lesse then our Lawes and Histories

Histories, ancient and Modern, doe every where ascribe to our English Kings. To be *Governers of Christians*, To be the *Advocates of the Church*, To be *Patrons and Advowees* *Paramount of all Churches*, To be *Defenders of the Faith* there Professed, And to use the Words of the Convocation it self, *Ecclesia Anglicana Protectores singulares, Principes & Supremos Dominos*. The same body may have severall heads of severall kinds upon Earth, as Politicall and Ecclesiasticall; and then that which takes care of the Architectonicall end, to see that every member doe his Duty, is alwayes Supreme; That is the Politicall head. This truth Cardinall Poole did see clearly enough, and reconcile the seeming difference by distinguishing between a *Regall head* and a *Sacerdotall head*, This truth the French Divines see wel enough, and doubt not to call their King the *Terrene head of the Church of his Realme*, without attributing to him any Sacerdotall right Wee had our Sacerdotall heads too in *Englād*, without seeking for the so far as *Rome*; As the Archbishop of *Cambridge* in the Reigns of our English Monarchs, who of old was *Nullius unquam Legationi subjectus*, Never subject to the Jurisdiction of any Legate. When the Pope sent over Guy

*Polus  
de Conc.  
pa. 70.*

Archbishop of *Vienna* into *England* as his Legate throughout *Britaigne* for the Apostolicall See, It was received with wonder

*Ead-* and Admiration of all men. *Inaudium sci-*  
*mor. l.* *licet in Britannia cuncti scientes quemlibet homi-*  
*3.p.58.* *num super se vices Apostolicas gerere, nisi so-*  
*lum Episcopum Cantuarie:* All men did know  
 that it was never heard in *Britaigne*, that any  
 Man whatsoever had Apostolicall power  
 over them, but onely the Archbishop of Can-  
 terbury. And accordingly the new Legate  
 did speed, so it followeth, Wherefore as he  
 came so he returned, received as Legate by no  
 man, nor having exercised any part of his Lega-  
 tine power. This was the ground of that Let-  
 ter of the English Bishops to the Pope. That  
 the Church of Canterbury might not be depriv-  
 ed of its dignity in his times, and that he would  
 neither Diminish it himself, nor suffer it to be  
 diminished. As appeareth by the Popes ac-  
 knowledgment in his answer.

*Eadm.*  
*l. 5.*  
*p. 120.*

But to come up close to the Difference,  
 The Question is not whe ther the Bishop of  
 Rome have Authority to call Synods. He  
 is a Bishop, a Metropolitan, a Patri-  
 arch, a Prince in his own Dominions.  
 As a Bishop he may Convocate his Dioces-  
 se, As a Metropolitan his Province; As a

Pa-

Patriarch his Patriarchate, under the pain of Ecclesiasticall Censure, more or lesse compulsoy according to that Degree of Coactive power which hath been indulged to him in these Distinct Capacities by former Sovereigns: And as a Prince he may convocate his Subjects under Politicall paines. The more these two powers are united and complicated, the more terrible is the Censure. And therefore our kings would have their Bishops denounce spirituall paines also against the Violaters of their great Charters. Spirituall paines are more heavy then Politicall, but Politicall most commonly are more speedy then Spirituall. And more certain; Spirituall paines doe not follow an erring Key, but Politicall doe.

Neither will I dispute at præsent whether the Bishop of *Rome* by his reputed *Primacy of Order* or *Beginning of Unity* may lawfully call an Oecumenicall or Occidentall Councell, by power purely Spirituall, which consists rather in Advise then in Mandates properly so called, or in Mandates of Courtesy not Coactive in the Exterior Court of the Church; considering the Division and Subdivision of the ancient Empire, and the present Distractions of  
Christen

Christendome, it seemeth not altogether in convenient. Wee see the Primitive Fathers did Assemble Synods and make Canons, before there were any christian Emperours, but that was by authority meerly spirituall; they had no coactive power to compell any man against his Will. The Vttermost they could doe was to separate him from their Communion, and to leave him to the Comming or Iudgement of Christ. Let him be *Anathema maranatha*.

1. Cor. The true Controversy then is this, Whe-  
 16.22, ther the Bishop of Rome by his Legates, have Coactive power in the exterior Court, to Convocate Synods of English Subjects in *England*; when he will, where he will, whom he will, without their Consents, and without the leave of the Sovereign Prince or King of *England*, The Case being thus stated determineth it self. Where should the Pope appoint a place of meeting in *England* without the Leave of the King of *England*? Wee see by often experience, that if the Pope have a desire to summon a Councell in *Italy*, within the Dominions of another Sovereign Prince or Republick, although they be of his own Communion; he must First aske leave, and obtain leave, before he can tell how to doe it; Or how should

should he pretend to any Coactive power in *England* without the Kings grant or leave, where the power of the *Militia* and all Coactive force is legally invested in the King. Thus for point of right.

Now for matter of Fact, First I doe utterly deny that any Bishop of *Rome* by his own Authority did Convocate any Synod in the Brittish Island during the First eleven hundred yeares, Or preside in any by his Legates, Or confirm them by his Authority. If he be no table to produce so much as one instance to the Contrary, he may cry guilty to the Vsurpation where of he is accused, and hold his peace forever.

Secondly, I doe confesse that after eleven hundred yeares, The Bishops of *Rome* taking advantage of our civill combustions, and prostituting the reputation of the Apostolicall See to their temporall ends, did by the leave of our Kings, (not otherwise,) sometimes call Synods in *England*, and preside in them. The first Synod held in *England* by any of the Popes Legats was at *London*, in the yeare 1125. by *Ioannes Cremensis*, Which moved *England* into no smal indignation, to see a thing till then unheard of in the Kingdome of *England*, A Priest sitting president upon an high throne above Arch Bishops, Bishops, Abbats

Gervasius Dof  
nensis.

*bais &c.* But remember my third ground or Consideration of the difference between affirmative and negative Presidents. All which this proveth, is that the King did give leave or connive at that time: But it doth not prove, it cannot prove a right to doe the same at other times when the King contradicteth it.

Further wee ought to take notice that there is a greate deale of difference, between an Ordinary Synod and an English Convocation. Although in truth our Convocations be Synods; So called from one word in the Kings writ to Summon them, *(convocari facias.* All the Clergy of the Realm were not present at an ordinary Synod; but all the whole Clergy, of the Kingdome were present at a Convocation, either in their Persons, or by their Proctors sufficiently authorized. Secondly, the absent Clergy had no such Obligation to the A&ts of a Papall Synod, as they had to the A&ts of a royall Convocation, *sub Hypotheca bonorum omnium, under the Caution or Pledge of all their Goods and Estates.*

Lastly to drive the naile home, and to demonstrate clearly the Grossenesse of this Papall usurpation; it remaineth onely to shew that by the Ancient Lawes of England  
the



the calling of Convocations or Synods, belonged properly to the King, not to the Bishop of *Rome* or his Legates. And first by reason. By the Lawes of *England* more ancient then the Popes intrusion, no Roman Legat could enter into the Kingdome without the Kings leave, nor continue in it longer then he had his License, as wee shall see hereafter, and therefore they could not convocate any Synods nor doe any Synodicall Act without the Kings leave. Secondly by Records of the English Convocation it self, that *the Convocations of the Clergy of the Realm of England are, alwayes have been, and ought to be Assembled by the Kings.* Writ Anno 1532.

Thirdly, by the Form of the Writt, which hath ever been the same in all succeeding Ages, constantly directed from the King to the English ArchBishops for their distinct Provinces, The very Form speaks it English sufficiently; *For certain difficult and urgent Businessses concerning the defence and security of the English Church, and the peace tranquillity, publik good and defence of our Kingdome and Subjects, Wee command and require you by that Allegiance and Love which you owe to us, that you cause to be convocated with convenient speed in due manner all and singular*  
Bishops

*Bishops of your Province, Deanes and Priors of Cathedrall Churches, &c. And the whole Clergy of your diocese and Province, to meet before you, &c. Another Writ did alwayes issue from the King for the dissolution, Wee command you that you dissolve or cause to be dissolved this present Convocation, this very day, in due manner, without any delay, &c. Lastly by the concurring Testimonies of all our Historiographers, That all the space of time of eleven hundred yeares, wherein the Popes did neither call Councells, nor Preside in them, nor Confirm them, and after unto the very Reformation; Our Kings did both call Councells, and Preside in them, and Confirm them, and own their Lawes: as I have shewed him by the Lawes of Ercombert, Ina, Wihred, Alfred, Edward, Athelstan, Edmund, Edgar, Athelred, Caninus, and Edward the Confessor, in my Vindication. And particularly that Theodore Arch-Bishop of Canterbury Presided in a Councell, in the Presence of John the Popes Legate. That King Edward Assembled a Synod and Confirmed the Acts of it as *Decretum Regis*, The Kings decree: That King Wihred called a Councell at Becancelde and Presided in it, and that the decrees of the Councell issued in his name and by his Authority. Firmiter  
decre-*

*decernimus &c.* in my Answer to the Bishop of *(halcedon)*. All this he pretendeth to have answered; but it is with deep silence. If he desire more Presidents and more witnesses, he may have a cloud of Authors upon holding up his Finger, to prove undeniably that King *Henry* did not innovate at all in challenging to himself the right to Convoke the Clergy and dissolve them, and confirm their Acts with in his own Dominions: but followed the steps of his Royal Predecessors in all Ages, from the first planting of religion untill his own dayes.

And not onely of his own Ancestors but his Neighbours. The President of *Charles* the great is very conspicuous. To omit all my former Allegations in this behalf, In *Synodus* the French Synod. I *Charlemain Duke and Franci-* Prince of the Franks by the Advise of the Ser- *ca 2.* vants of God and my Princes, have congregated *Tom.* the Bishops which are in my Kingdome with the *Conc.* Priests to a Synod, for the feare of Christ to *Petri.* Counsaile me, how the Law of God and Eccle- *Grab.* siasticall Religion may be recovered, which in the Dayes of forepassed Princes is dissipated and fallen to ruine &c. And by the Counsaile of my Clergy and Princes we have ordained Bishops through out the Cites and constituted over them Arch-bishop Boniface the Popes Legate, *Qui est missus Sancti Petri.*

*And we have decreed every Yeare to congregare a Synod, that in our Presence the Canonickall Decrees and the Rights of the Church may be restored, and Christian Religion Reformed. And in the Synod of Arles held under the said Emperour, they begin the Synod with a solemne prayer for the Emperour. The Lord of all things establish in the Conservation of his Faith, our Most Serene and religious Lord the Emperour Charles, by whose Command wee are here congregated. And they conclude the Synod with a submission to him, These things which wee judged worthy to be amended, wee have briefly noted and decreed them to be presented to our Lord the Emperour: beseeching his Clemency that if any thing be here wanting, it may be supplied by his Prudence, if any thing be amisse it may be amended by his Iudgement, if any thing be reasonably taxed it may be perfected by his help, through the assistance of the Divine Clemency. So the Councell of Toures begin their Synodicall Acts, That which was enjoined us by so great a Prince we accomplished in meeting at the time and place appointed, Where being congregated wee noted such things by Chapters as needed to be amended according to the Canonickall Rule, to be shewed to our most serene Emperour. So they conclude their Acts, These things wee have ventilated in our Assembly,*

*Ibidem.*

bly, but how our most pious Prince will be pleased to Dispose of them, wee his faithfull servants are ready at his beck and pleasure with a willing mind. Lastly the Synod called Synodus Cabilonensis in the dayes of the said Emperour beginneth thus, Our Lord Iesus Christ assisting us, and the most renowned Emperour Charles commanding us &c. We have noted out certain Chapters wherein reformation seemed necessary to us, which are hereafter inserted, to be presented to our said Lord the Emperour, and referred to his most sacred Iudgement, to be confirmed by his prudent examination of those things which wee have reasonably decreed, and wherein wee have been defective, to be supplied by his Wisdom. So they conclude, We have ventilated these things in our Assembly, but how it shall please our most pious Prince to dispose of them, we his faithfull servants with a willing mind are ready at his beck and pleasure. One Egge is not liker to another, then these Synodicall Representations are to our old English Customes, Yet these were Catholick times, when Kings convoked Synods of their own Subjects, and either confirmed or rejected their Acts, as they thought meete for the publick good: and did give the Popes own Legate his power of presiding in them by their Constitutions, who joined

*Ibidem.*

with the rest in these Synodical Acts.

*Oath of Allegiance due to Kings from Clerkes not due to the Pope.* I proceed to the third Branch of the Popes first usurpation, concerning the tying of English Prelates by Oath to a new Allegiance to the Pope. No man can serve two supreme Masters, where there is a possibility of clashing one with another. It is true one is but a Politicall Sovereign, and the other pretenderh but a Spirituall Monarchy: Yet if this supposed Spirituall Monarch, shall challenge either a direct power and Iurisdiction over the Temporall in the exterior Court, as Pope Boniface did, *Nos, nos imperia, regna, principatus & quicquid habere mortales possunt, auferre & dare posse; Wee, even Wee have power to take away and give Empires Kingdomes Principalities, and what soever mortall men are capable of:* Or challenge an indirect power to dispose of all temporall things in order to spirituall good, (which is the opinion of Bellarmine and his party) Or lastly shall declare those things to be purely spirituall which are truly Politicall, as the Patronage of Churches and all Coactive power in the exterior Court of the Church. In all such cases the subject must desert the one or the other

other and either suffer justly as a Traitor to his Prince, or be subjected unjustly to the Censures of the Church, and be made as an Heathen or Publicane. This is a sad case.

But this is not all, If this poore subject shall be further perswaded, that his Spirituall Prince hath Authority to absolve him from all Sinnes, Lawes, Oaths, knowing that his temporall Prince doth challenge no such extravagant power, what Emperour or King can have any assurance of the Fidelity of his own naturall subjects? It is true, a Clerk may sweare allegiance to his King, and Canonically obedient to his Bishop, but the cases are not like. No Canonically obedience either is or can be in consistent with true allegiance. The lawfull Canons oblige without an Oath. And all that Coactive power which a Bishop hath, is derived from the Prince and Subjected to the Prince.

The question then is not whether a Pastor may enjoin his Flock to abstaine from an unjust oath; An oath of allegiance to a naturall Prince is justifiable both before God and man. Nor yet whether the Clergy have immunities, or ought to enjoy immunities such as render them more capable of serving God



alwayes the first Article in our *Great Charter of England*. Let the Church enjoy her Immunities. The question is not whether Clergy men transgressing of the Canons, ought to be tryed by Canonickall Iudges according to the Canons, especially in the first instance. For by the Law of *England* the Delinquent was alwayes allowed the liberty to appeale to *Casar*. But the question is whether the Pope by any Act or decree of his can acquit English Subjects, or prohibit them to do homage and sweare Allegiance to their King, according to the Ancient Lawes of the Realme, because they are Clergymen: And can Command them whether the King will or not, to take a new Oath never heard of or practised formerly; An Oath of *Allegiance and Obedience* to himself. So it is called expressely in the Edition of *Gregory* the thirteenth, *Electo in Archiepiscopum sedes Apostolica Pallium non tradet, nisi prius praestet fidelitatis & Obedientiae Iuramentum*, The Apostolicall See will not deliver the Pall to an Archbishop elect, unlesse he first take an Oath of Fidelity and Obedience.

Wee have seen already how *Henry* the First was quietly seised and possessed of the Homage of his Prelates and their Oaths of Fide-

and their Oaths of Fidelity; and his Predecessors before him. So wee have heard *Platina* confessing, that before the Pope-dome of *Paschalis* the second, the *Homage* and *Fendall Oaths* of *Bishops* were performed to *Lay Men*, that is to *Kings*, not *Popes*. Thus much *Eadmerus* and *Naclerus* and *William* of *Malmesbury* and *Hoveden* and *Iorvalensis* doe all assure us. This agreeth sweetly not onely with the Ancient *Law of Feuds*, from whence they borrowed the name of *Investitures*: but also is confirmed by the decrees of ancient Councils, as diverse *Toletan* Councils, and that of *Aquisgrane*, which who so desireth to see, may find them cited at large by *King James* in his *Apology* for the Oath of A legiance.

*Ridleys  
View of  
Civill  
and Eccles.  
p. 64.*

*Apol.  
pro In-  
ram. fid.  
ca. 56.*

But these Oaths, and Homages, and Regal Investitures, as th y were a Bond of Peace and Vnity between the King and his Clergy, so they were a great Eyesore to the Bishops of *Rome*, because they crossed their maine Designe to make them selves the onely Liege Lords of the Ecclesiasticks. As appeareth by that severe Check which *Adrian* the fourth gave *Frederick* the first, for Requiring *Homage* and *Fealty* of Bishops, who are Gods, and for holding their sacred hands in his hands. It staid not here, That Ho-

*De E-*  
*lect. &*  
*Elect.*  
*pōest.*  
*ca. 4.*

mage and Oath of Fidelity which *Gregory* the seventh and *Calixtus* did rob the King of, their immediate Successour *Paschalis* the second did assume to himself, as wee find by the unanimous consent of all Historiographers, and by the Canon of *Paschalis* himself recorded by *Gregory* the ninth, *Significasti &c.* Thou signifiedst that Kings and the Peers of the Kingdome were moved with Admiration, because the Pall was offered to Thee by our Apocrisaries, upon Condition to take that Oath which they brought Thee written from us. &c. The Admiration sheweth the novelty of it. He confesseth there, that the Oath was not established by the Canon of any council, but by Papall Authority, and Iustifieth it, For feare of further evill; That is, Apostating from the Obediēce due to the Apostolick See. The very Title doth assure us that it was an Oath of Fidelity and Obedience. What manner of assurance can Sovereign Princes promise themselves of those Subjects, who have sworn Allegiance and Obedience to a forrein Prince.

This Form at First was modest and moderate, bounding the Obedience of Arch-Bishops by the Rules of the holy Fathers, as wee find in the old Roman *Pomifcall*: but it was quickly changed from *Regulas*  
San-

*Sanctorum Patrum*, to *Regalia Sancti Petri*, as we find in the new Pontificall. The Change in Letters was not great, but in the Sense abominable, *Semel falsus semper presumitur falsus*. He who is apprehended in palpable forgery, is alwayes deservedly suspected of forgery. With what Face can *Mr. Serjeant* tell us, that where the *Method of immediate Tradition* hath place, it is impossible for encroachments to gaine Admittance, Where wee see such *Hocus Pocus* tricks plaid before our eyes in their Pontificall. *Bellarmino* would perswade us that in *St. Gregory* the firsts time there was such an Oath of Obedience fully made to the Bishop of *Rome*. But he doth either abuse him self, or seeketh grossely to abuse us First the Oath mentioned in *Saint Gregory*, was not an Oath of Obedience or allegiance, but *promissio cuiusdam Episcopi heresim suam anathematizantis*, A promise of a Certain Bishop anathematizing his heresy, or an Oath of abjuration. Secondly, the Oath mentioned by *Saint Gregory*, was not imposed by his authority, but taken freely by the converted Bishop, to satisfie the world and to take away all suspicion of Hypocrisy, (*ne non puramente seu simulate reuersus existimer*)

*Greg.  
epist. l.  
10. epist.  
30. in-  
dic. 5.*

dic.

dictated to his owne Notary by the advise of his Clergy, *Notario meo cum consensu presbyterorum & Diaconorum atque Clericorum, scribendum dictavi.* It was no Common Case of all Bishops, neither did it comprehend any such obligation to mainteine the prætended royallties of S. Peter.

*De iure  
jurando  
cap. 4.*

And as they extended the matter of their Oath, so they did the Subject, about an hundred yeares after in the time of Gregory the niuth, enlarging it from Arch-Bishops to all Prelates, Bishops, Abbats, Priors, And now what remaines, but to cry up the Authority of the Canons above all Imperiall Lawes,

*Bell. li.  
de Cler-  
ca 28.*

*Cedant Arma Toga, concedat Laurea Lingua:* As Bellarmine doth, who denyeth the superiority of Princes above Clergymen, *Principes Seculares respectu Clericorum non sunt Principes*, Princes are no Princes of Clerkes, &c. *Politickall Lawes have no coactive obligation over Clerkes, but onely directive*, The Civill lawes of Emperours must give place to the Canons of Popes. What new Monster is this, To receive Protection from the Lawes of Princes, and to acknowledge no Subjection to the Lawes of Princes? If Princes should put Church men out of their Protectiō, as *Bellarmino* exempts them from all

all Coactive Obligation to the Lawes of Princes, They would quickly find their Errour. It is an honour to Princes to preserve to Church men their old Immunities, but is it a Shame to Churchmen like Swine, to eat the Fruit and never looke up to the Tree from whence it falleth.

We have viewed the spoile Committed evidently, when, and by whom. He whose office it was to preserve all others from spoile, could not preserve himself. It is a Rule in Law, *Ame omnia Spoliatus restitui debet*, Before all other things he that is spoiled ought to be restored to his Right, And our old English Lawes are Diametrally opposite to these new Papall Vsurpations, in all the parts of them. First though the Kings and Kingdome of England, were alwayes careful to preserve the Privileges of Holy Church. In all our Great Charters that was the first thing was taken Care for, yet not as due by Divine Law, and much lesse by the Lawes of the Pope, (which they never regarded,) but as Graces and Privileges granted by the Kings of England, and therefore they excluded from benefit of Clergy such sort of delinquents as they thought fit, as *Proditores*, Traitors against the Person of the King, *Insidiatores viarum*, such as lay

25.  
E. 3.  
cap. 4.  
6.  
H. 4.  
cap. 2.  
in wait

in wait to doe mischief upon the Highwayes; *Depopulatores agrorum*, such as depopulated the Land. And the most severe Lawes that ever they made, are the Statutes of *Premunire* and *Provisors* against Churchmen, for siding with the Bishop of Rome in his Vsurpations, even to the forfeiture of their Goods and Lands, their Losse of their Liberty, and the putting them out of the Kings Protection.

Secondly, our Lawes doe acknowledge every where that Homage and allegiance is alwayes due to the King from all Clergymen what soever. *Edward the first* joined all the Prelates upon their faith (or Allegiance) which they ought him. They know no Fidelity or allegiance which is due to the Pope from any English man either Clergy man or Lay man; but the just contrary that they are bound by their allegiance to fight for the King against the Pope, for the redresse of these and such like Vsurpations. In the fourteenth Yeare of *Richard the second*, all the Spirituall Lords did answer unanimously, That if any Bishop of *England*, were excommunicated by the Pope for having executed the sentences and commandements of the King,

3. Ed.

1. ca. 2.

16. Ric.

2. c. 4.



King, *The same is against the King and his Crown, And they will and ought to be with the King in these Cases lawfully, and in all other Cases touching his Crown and his Regality, as they be bound in their Allegiance.* Our Lawes know no Oath of Allegiance or Fealty due to any person but the King, they make the King to be *Advowee Paramount, Supreme Lord and Patron, Guardian, Protector, and Champion of the Church of England.* 25. Ed. 3.

Lastly these Papall Oaths doe necessarily suppose a Voiage to Rome, either to take the Oath there, or if the Oath was sent them into *England*, one Clause in the Oath was, that they should come to Rome in person to receive the Popes Commands within a prefixed time. But this is directly contrary to the Lawes of England, which allow no Subject Clergiman or other, to goe to Rome without the Kings Leave. Thus much both the Prelates and Peers of the Realm told Anselm when he had a mind to visit the Pope. Thus much wee find attested by the Generall Assembly of the Kingdome in the Statute

Statute or Assise of *Clarendon*, where one of the Customes or Lawes of the Kingdome is, That No Ecclesiasticall person might depart out of the Kingdome, without the Kings License.

Mat.  
Par.  
Anno  
1164.  
Hove-  
den

No, not though he were expressly summoned by the Bishop of Rome. And at a Parliament held at *Northampton* in the Reign of Henry the third, it was enacted, that if any persons departed out of the Kingdome, unless they would return within a prefixed time, and answer it in the Court of our Lord the King, let them be outlawed. This was the unanimous complaint of the whole Kingdome to the

Ma.  
Par.  
Anno  
1945.

Pope, That the English were drawn out of the Realm by his authority, contrary to the Customes of the Kingdome. No Clergy man may goe to Rome without the Kings License, say the ancient Lawes of the Realm: Every English Prelate shall come to Rome, upon my command saith the Pope: What *Oedipus* can reconcile the English Lawes and Papall mandates? Commonly good Lawes proceed from evill manners, and abuses doe ordinarily precede their Remedies. But by the Providence of our Ancestors our English Remedies were preexistent before their Usurpations. *Non remittitur Peccatum nisi restituatur ablatum*, Vntill they restore those rights whereof they have robbed the King  
and

and Kingdome, Wee may pardon them, but they can hope for no forgivenesse from God. I will conclude this point with an ancient Fundamentall Law in the Britanick Island, *Si quis cum alio societatem coierit, fidem & obsequium adversus quemlibet professus, capite puniatur*, If any subject enter into League with another (Prince) professing Fidelity and obedience to any one (besides the King) Let him lose his head.

*Hect.  
Boet.  
Hist.*

*Tenhs  
and first  
fruits  
usurped  
by the  
Pope.*

I come now to the last Branch of the first Papall Vsurpation *Tenhs and First fruits*. If Christ be still crucified between two Thieves, it is between an old overgrown Officer of the Roman Court, and a Sacrilegious Precisian. The one is so much for the Splendour of Religion, and the other for the Purity of Religion, that between them they destroy Religion. Their Faces like Samsons Foxes locke contrary wayes, but both of them have Firebrands at their tails: both of them prate of Heaven altogether, both of them have their hearts nailed to the Earth. On the one side, if it had not been for the Avaricious Practises of the Roman Court, the Papacy might have been a great advantage to the Christiā world in point of Order and Vnity, at least it had not been so intolerable a Burthē; It is feared these

these will not suffer an *Eugenius* an *Adrian* or an *Alexander* to be both honest and long-lived. On the other side these Counterfeit Zelots do but renew the Policy of the two old *Sicilian* Gluttons, to blow their Noses in the dishes, that they might devour the meate alone: that is cry down Church Revenues as Superstitious and Dangerous, because they gape after them themselves. If it were not for these two factiōs, wee might hope to see a reconciliation. Self interest and self profit are both the procreating and conserving cause of Disunion.

Who would Imagin that the large Patri-  
mony of St. Peter should not contēt or suf-  
fice an old Bishop abundantly, without  
preying upon the poore Clergy for  
Tenths and Firstfruits, and God knowes  
how many other waies? The Revennes of  
that See were infinite, yet the Bishops of  
ten complained of Want: Gods blessing  
did not goe along with these Ravenous  
Courses. So Pharohs lean Kine devoured  
the fat, yet were nothing the Fatter them-  
selves. The first Tenth which the Pope  
had from the English Clergy was onely  
a single Tenth of their moveable Goods,  
not by way of Imposition, but as a Bene-  
volence, or free gift out of Courtesy. But  
the Roman Bishops having once tasted the  
sweet,

*Ma.*  
*Par.*  
*An-*  
1229.

sweet, meant not to give over so

*Non missura cutem nisi plena cruoris birudo.*

The next step was to impose Tenth upon the Clergy, not in perpetuity or as a certain Revenue due to the Papacy, but for a fixed number of yeares, as a stock for the Defence of Christendome against the incursions of the Turke. About the same time First fruits began to be exacted, not generally but onely of the Popes own Clerkes, as a Gratuity, or in plain English as a handsome Cloak of Simony. But he that perfected the Work, and made both Tenth and First fruits a certain annuall Revenue to the See of Rome, was Boniface the ninth, or John the two and twentieth his Successor, so saith *Platina*, And with him almost all other writers doe agree. This Boniface lived about the year fourteen hundred, whom *Turfelline* maketh to have been the restorer of Papall Majesty, whose prudence did transcend his Age, for he was but thirty yeares old. He was the Usurper, that tooke away from the Romans the free choise of their Magistrates. John the two and twentieth lived in the time of the Councell of *Constance*, something above the fourteen hundreth yeare.

H

It

It was he that called the Councell, and was him self deposed by the Councell for grievous Crimes, and the payment of First fruits abolished. For neither the paiment of Tenths nor First fruits did agree with the palate of the Councells of *Constance* and *Basile*, Notwithstanding their gilded pretences.

Concil:  
Const.  
edit.

Petri  
Crab.  
p. 1182

Ibidem  
pag.

1164.  
Sess. 12  
16.

Con.  
Basil.  
Sess. 21.

The Councell of *Constance* decreed, that it was not lawfull for the Bishop of Rome to impose any Indictions or Exactions upon the Church, or upon Ecclesiasticall persons in the Nature of a Tenth or any other way. Which Decree was passed in the nineteenth Session, though it be related afterward. According to this Decree Pope *Martin* issued out his Mandate, Wee Command that the Lawes which prohibit Tenths and other Burthens to be imposed by the Pope upon Churches and Ecclesiasticall persons, be observed more Strictly. And the Councell of *Basill* Commandeth, that as well in the Roman Court as elsewhere &c, Nothing be exacted for Tenths or Firstfruits &c.

But for all this the Popes could not hold their Hands. *Leo* the tenth made a new imposition for three yeares, *Ad triennium proxime futurum*, for the old ends. And it should seem that their mind was, that thence forward as the cause lasted, so should the imposition

position. But the *Germane Nation* were not of the same mind, who made this their nineteenth Grievance, for as much as concerneth *Tenhs*, which Ecclesiasticall Prelates paid Cent. yearly to the Pope, which the *Germane Princes* Gra. some yeares since did consent unto, that they should vain. be paid to the See of Rome for a certain time, upō cap. 19. Condition, that this money should be deposited at Rome as a stock, for defence against the Turk, and no oherwise. But the time is effluxed since, and the Princes have learned by Experience, that the moneys have not been imployed against the Turkes, but converted to oher Vses &c. The Emperour Charles the fifth was not of the same mind, as appeareth by his Letter to Apud Pope Adrian the sixth, where in he receiveth the same fraud, and requireth that the Goldst. an. *Tenhs* may be detained in Germany, for that 1522. Vse for which they were first intended. Lastly Henry the eighth and the Church and Kingdome of England were not of that mind, nor intended to indure such an egregious cheat any longer, so extremely contrary to the Fundamentall Lawes of the Kingdome, and destructive to them. By 24. which Lawes the King himself (who onely Ed. cap. I. hath Legislative power in England,) may not compell his Subjects to pay any such Pensions, without the Good will and Assent of the Arch-Bishops, Bishops, Earls, Barons, H 2 Knights



*Knights Burgeses and other Freemen of the land.*  
 Much lesse can a forrain Prince or Prælate  
 whatsoever he be , impose any such pay-  
 ments by his own Authority. This is that  
 which is so often Condemned in our Sta-  
 tutes of *Provisors*, *Namely*, the imposing  
 Pensions and exporting the Treasure of  
 the Realme. The Court of *Rome* is so far

*Traictes  
 des  
 droit &  
 libertees  
 de l' E-  
 glise  
 Gallica-  
 ne*

*&  
 Pro Li-  
 bertate  
 Ecclesie  
 Gallica-  
 ne ad-  
 versus  
 Roma-  
 nam  
 Aulam  
 Defensio  
 Parisi-  
 ensis Cu-  
 ria.*

from any Pretense of Reparation , that if  
 their Predecessors were living, they were ob-  
 liged to make restitution. These are all  
 the Differences that are between us, concer-  
 ning the Patronage of the Church of *Englād*.

Yet now least he should urge that these  
 Lawes alledged by mee, are singular obso-  
 lete Lawes , not Consonant to the Lawes  
 of other Christian Kingdomes, I will Para-  
 lell them with the Lawes and Liberties of  
 France , which he him self acknowledgeth  
 to be a Catholick Country, as they are re-  
 corded in two Authentick Bookes, One of  
 the Rights and Libertyes of the Gallican  
 Church. The Other, *The Defence of the  
 Court of Paris for the Liberty of the Gallican  
 Church against the Roman Court*, both prin-  
 ted by Authority. First for the Patronage  
 of the Church.

The fourth Liberty is, *The King hath power  
 to Assemble or cause to be Assembled, Synods  
 Provinciall or Nationall, and therein to treat of  
 such*

*such things as concern Ecclesiasticall Order.*

The seventh Liberty is, *The Prelates of the French Church, although commanded by the Pope, for what cause so ever it be, may not depart out of the Kingdome without the Kings Commandement and License.*

The eleventh Liberty is, *The Pope cannot impose Pensions in France upon any Benefices having Cure of Soules, Nor upon any other, but according to the Canons &c.*

The Fourteenth Liberty is, *Ecclesiasticall persons may be Convenied, Iudged, and sentenced before a secular Iudge for the First enormous Crime, or for lesser offences after a relapse.*

The fifteenth Liberty is, *All the Prelates of France are obliged to swear Fealty to the King, and to receive from him their Investitures for their Fees and Manours.*

The nineteenth Liberty is, *Provisions, Reservations, expectative graces have no place in France.*

This is the brief summe of those Liberties which concern the Patronage of the Gallican Church, agreeing perfectly with our old English Customes. I shall shew him the same perfect Harmony between their Church Liberties and our English Customes, the Assise of Clarendon, the Statutes of Provisors and Premunire, through out. Either Mr. Serjeant must make the Gallican Church Schismaticall, which he dare not doe, and if I conjecture rightly hath no mind to doe: or he must acknowledge our English Lawes to be good Catholick Lawes for Company.

*Sect.*

The next Vſurpation which offereth it ſelf to our Conſideration, is the Popes Legiſlative power ouer the Church and Kingdome of *England*, either in his perſon or by his Legates. For the clearer underſtanding whereof, the Reader in the firſt place may be pleaſed to take notice, that we receive the ancient Canons of the Catholick church, and honour them more then the Romaniſts themſelves; as being ſeleſted out of the Canons of Primitive Councells, before the Roman Biſhops did challenge any plenitude of Legiſlative power in the Church. And eſpecially of the firſt four General Councells: of which King *James* ſaid moſt truly, that *Publica Ordinum noſtrorum Sanctione recepta ſunt*, They are received into our Lawes. We acknowledge that juſt Canons of Councells lawfully Congregated and lawfully proceeding, have power to bind the Conſcience of Subjects as much as Politicall Lawes, in themſelves not from themſelves as being humane lawes, but from the Ordinance of God, who commandeth Obedience of Subjects to all ſorts of Superiours. We receive the Canons of other Primitive Councells, but not with the ſame degree of Reverence as wee doe the firſt four generall Councells. No more did

St,

The pope hath  
no legiſ-  
lative  
power in  
Eng-  
land.

Omni-  
bus  
Chriſt  
Mon-  
arch.  
pag. 4.  
1. Eli.  
c. 1.

Conc.  
Conſtan  
Seſſ.  
39.

S. Gregory of old, No more doth the Pope now in his solemne Profession of his Faith, at his election to the Papacy, according to the decree of the Councell of *Constance*. That which restrained them, restraineth us. I am more troubled to thinke, how the Pope should take himselfe to be an Ecclesiasticall Monarch, and yet take such a solemne Oath, *In the Name of the Holy and undivided Trinity, Father, Son and Holy Ghost, to keep the Faith of the Councell of Chalcedon to the least Title.* What the faith of the Fathers of *Chalcedon* was in this greate Controversy about the Papacy, may appeare by the sixteenth Session, and the Acclamation of the Fathers to the Sentence of the Iudges, *Hæc justa Sententia, hæc omnes dicimus, hæc omnibus placent &c.* This is a just Sentence, These things wee all say, These things please us all &c

Secondly, we acknowledge that Bishops. were alwayes esteemed the proper judges of the Canons, both for composing of them and for executing of them: but with this caution, that to make them Lawes the confirmation of the Prince was required; and to give the Bishop a coactive power to execute them, the Princes grant or concession was needfull. The former part of this caution is evident, in *Iustinians* confirmation of the fifth Generall Synod. *Hæc pro communis Pa-*

*Constit.*

*Iustin.*

*cont.*

*Antim.*

*in Syn 5*

Hove-  
den.

*ce Ecclesiarum Sanctissimarum statuimus, hac  
sententiavimus, sequentes Sanctorum Patrum do-  
gmata, &c.* These things wee ordaine, these things  
wee have sentenced, following the opinion of the  
Holy Fathers, &c. *Quæ Sacerdotio visa sunt, &  
ab Imperio confirmata:* Which were approved by  
the Clergy, and confirmed by the Emperour. The  
second part of the caution is evident out of  
the Lawes of William the conquerour, *Qui  
decimam detinuerit, per justitiâ Episcopi. & Regis  
si necesse fuerit, ad solutionem arguatur, &c.* Who  
shall detain his Tythe, Let him be convinced to pay  
it by the justice of the Bishop, and if it be needfull of  
the King, For these things S. Austin preached and  
taught, and these things (that is, both Tythes and  
jurisdictiō) were granted frō the King, the Barons,  
and the People. So hitherto there is no diffe-  
rence betwē us, they acknowledge that the  
King is the Keeper of both the Tables: and  
wee say that for the first Table the Bishops  
ought to be his Interpreters.

act. 15.  
25.

Thir dly, as wee question not the Popes legis-  
lative or coactive power over his own subjects:  
so we submit to the judgemēt of the Catholick  
church, whether he ought to have a primacy of  
order as the successour of S. Peter, and as a con-  
sequent thereof, a right (if he would content  
himself with it) to summō Councells, when and  
where there are no Christian Soveraignes to  
doe it: and to joyne with other Bishops in ma-  
king spirituall Lawes or Canons such as the A-  
postles made, and such as the primitive Bishops  
made

made before there were christiā Emperours. But then those Canons are the Lawes of the Church, not of the Pope: As those Canons in the Acts of the Apostles were the Lawes of the Apostolicall College, *The Apostles and Elders and Brethren*, not the Lawes of *S. Peter*: Then their Lawes have no Coactive Obligation to compell Christians in the outward Court of the Church against their Wills, or further then they are pleased to submit themselves. All exterior coactive power is from the Sovereigne Prince, and therefore when and where Emperours and Kings are Christians, to them it properly belongeth to summon Councells, and to confirm their Canons, thereby making them become lawes. Because Sovereigne Princes onely have power to License and Command their Subjects to Assemble, to assign fit places for their Assembling, to protect them in their Assemblies, and to give a Coactive power to their Lawes, without which they may doe their best to drive away Wolves, and to oppose Heriticks; but it must be with such Armes as Christ had furnished them withall, that is, persuasions, Prayers, Teares, and at the most seperating them from the Communion of the faithfull, and leaving them to the Judgement of Christ,

The

The Controversy is then about new upstart Papall Lawes either made at Rome (such are the decretalls of *Gregory* the ninth, *Boniface* the eighth, *Clement* the fifth and succeeding Popes:) Or made in *England* by Papall Legates, as *Otho* and *Othobone*; Whether the Pope or his Legates, have power to make any such Lawes to bind English Subjects, and compell them to obey them against their Wills, the King of *England* contradictting it. The first time that ever any Canon of the Bishop of *Rome*, or any legislative Legate of his, was attempted to be obtruded upon the King or Church of *England*, was eleven hundred yeares after Christ. The first Law was the Law against taking Investitures to Bishopricks from a Lay hand. And the first Legate that ever presided in an English Synod was *Iohannes Cremenfis*, of both which I have spoken formerly. Observe Reader and be astonished, if thou hast so much faith to believe it, That the Pope should pretend to a legislative power over British and English Subjects by divine right, and yet never offer to put it in execution for above eleven hundred yeares.

It remaineth now to prove evidently that *Henry* the eighth by his Statute made for  
that



that purpose, did not take away from the Bishop of *Rome*, any Privilege which he and his Predecessors had held by Inheritance from St. Peter, and been peaceably possessed of for fifteen hundred yeares. But on the contrary, that eleven hundred yeares after St. Peter was dead, the Bishops of *Rome* did first invade the right of the Crown of England, to make Lawes for the externall Regiment of the Church, which the Predecessors of *Henry* the eighth had enjoyed peaceably, untill the dayes of *William Rufus*, *nemine contradicente*. And that the Kings Lawes were evermore acknowledged to be true Lawes and obligatory to the English Subjects: but that the Popes decrees were never esteemed to be binding Lawes in England, except they were incorporated in to our Lawes, by the King and Church or Kingdome of England. Whence it followeth by irrefragable consequence, that *Henry* the eighth was not the Schismaticke in this particular: but the Pope and those that maintain him, or adhere to him in his Vsurpations.

First, for the Kings right to make Lawes, not onely concerning the outward Regiment of the Church, but even concerning the Keys of Order and jurisdiction, so far as to oblige them

them who are trusted with that power by the Church, to doe their duties, it is so evident to every one who hath but cast his Eyes upon our English Lawes, that to bestow labour on proving it, were to bring Owles to *Athens*. Their Lawes are extant made in all Ages, concerning faith and good Manners, Heresy, Holy Orders, the Word, the Sacraments, Bishops, Priests, Monkes, the Privileges and Revenues of Holy Church; Marriages, Divorces, Simony, The Pope, his Sentences, his oppressions and usurpations, Prohibitions, Appeales from Ecclesiasticall judges, and generally all things which are of Ecclesiasticall Cognifance; and this in those times which are acknowledged by the Romanists themselves to have been Catholick. More then this, they inhibited the Popes own Legate to attempt to decree any thing contrary to the Kings Crown and dignity, And if they approved the decrees of the Popes Legates, they

*Ma.*

*Par. an*

1237.

*Flor.*

*wigorn.*

*an*

1227.

confirmed them by their Royall Authority, and so incorporated them into the Body of the English Lawes.

Secondly, that the Popes decrees never had the force of Lawes in England without the Confirmation of the King, Witnesse the decrees of the Councell of *Laieran* as they are commonly called: but it is as cleare as the

the day to any one who readeth the eleventh, the six and fortieth, and the one and sixtieth Chapters, that they were not made by the Councell of *Lateran*, but some time after; perhaps not by *Innocē*; the third, but by some succeeding Pope. For the author of them doth distinguish himself expressly from the Councell of *Lateran*, *It was well provided in the Councell of Lateran &c.* But because that Statute is not observed in many Churches, we confirming the foresaid Statute doe adde &c. Again, *It is known to have been prohibited in the councel, of Lateran, &c.* But we inhibiting the same more strongly &c. How soever, they were the Popes decrees, but never were received as Lawes in *England*, as wee see evidently by the third Chapter, That the Goods of Clergimen being convicted of Heresy be forfeited to the Church, That all Officers Secular and Ecclesiasticall should take an Oath at their Admission, into their Office, to their power to purge their Territories from Heresy, That, if a Temporall Lord did neglect, being admonished by the Church, to purge his Lands from Heresy, he should be excommunicated, And if he continued to satisfy within a yeare, the Pope should absolve his Subjects from their Allegiance. And by the three and fortieth Chapter, That,

That no Ecclesiasticall person be compelled to swear allegiance to a Lay man. And by the six and fortieth Chapter, that Ecclesiasticall persons be free from taxes. Wee never had any such Lawes, all Goods forfeited in that kind were ever confiscated to the King ; We never had any such Oaths, Every one is to answer for himself ; We know no such power in the Pope to absolve Subjects from their allegiance in our Law ; With us, Clergymen did ever pay Subsidies and taxes as well as lay men. This is one Liberty which England hath, not to admit of the Popes Lawes unlesse they like them.

20.  
H. 3.  
c. 9.

A second Liberty of England is to reject the Popes Lawes in plaine termes. The Pope made a Law for the Legitimation of Children borne afore Matrimony as well as those borne in Matrimony. The Bishops moved the Lords in Parliament, that they would give their consent to the Common Order of the Church : But all the Earles and Barons answered with one voice, that they would not change the Lawes of the Realm, which hitherto had been used and approved. The Popes legislation could not make a Law in England, without the concurrence of the three Orders of the Kingdome: and they liked their own old Lawes better then the Popes new Law.

A Third Liberty of England, is to give a legislative Interpretation to the Popes Lawes, which the Pope never intended. The Bishop of Rome by a constitution made at the Countell of Lyons, *excluded Bigamists (men twice Married) from the Privilege of Clergy*, that is, that should Marry the second time *de futuro*: But the Parliament made an Act that the constitution should be understood on this wise, that *whether they were Bigamists before the constitution, or after, they should not be delivered to the Prelates, but Justice should be executed upon them as upon other Lay people. Ejus est Legem Interpretari cuius est condere.* They that can give a Law a new sense, may abrogate it if they please.

A fourth Liberty of England is to call the Popes Lawes *Vsurpations, Encroachments, Mischiefs, contrary to, and destructive of the Municipall Lawes of the Realme, derogatory to the Kings Regality*: And to punish such of their Subjects as should pursue them, and obey them, with Imprisonment, with Confiscation of their Goods and Lands, with outlawing them, and putting them out of the Kings Protection. Witnesse all those noble Lawes of Provisors and Premunire, Which we may truly call the *Palladium* of England, which  
pre-

25. preserved it from being swallowed up in  
 E. 1. that vast Gulfe of the Roman Courts; made  
 27. by *Edward* the first, *Edward* the third,  
 E. 3. *Richard* the second, and *Henry* the fourth.  
 2. H. 4. All those Collations, and Reservations, and  
 cap. 3. Provisions, and Privileges, and Sentences,  
 & 4. which are condemned in those Statutes,  
 7. were all grounded upon the Popes Lawes,  
 H. 4. and Bulls, and Decrees, which our Ancestors  
 cap. 6. entertained as they deserved.

*Othobon* the Popes Legate in *England*; by  
 the Command of *Urban* the fifth made a  
 Constitution for the endowment of Vicars  
 in Appropriations, but it prevailed not:  
 whereas our Kings by two Acts of Parlia-  
 ment did easily effect it. No Ecclesiastical  
 Act is impossible to them who have a Le-  
 gislative power: but many Ecclesiasticall  
 Acts were beyond the Sphere of the Popes  
 Activity in *England*. The King could make  
 a spirituall Corporation; but the Pope  
 could not. The King could exempt from  
 the Iurisdiction of the Ordinary; but  
 the Pope could not. The King could  
 Convert Seculars into Regulars; but the  
 Pope could not. The King could grant  
 the Privilege of the Cistercians; but the  
 Pope could not. The King could Appro-  
 priate Churches; but the Pope could not.

Our

Our Lawes never acknowledged the Popes 2.H.4.  
 plenitude of Ecclesiasticall power, which c.3 &  
 was the ground of his legislation. *Euphemius* 4.  
 objected to *Gelasius*, that the Bishops of  
 Rome alone could not condemne *Aca-*  
*tius*, *ab uno non potuisset damnari.* *Gelasius* *Gelas.*  
 answered, that he was condemned by the *epist. ad*  
 Councell of *Chalcedon*, and that his Predecessor was *Faustū;*  
 but the Executor of an old Law, and  
 not the Author of a new. This was all the an-  
 cient Bishops of Rome did challenge, to be  
 Executors of Ecclesiasticall Lawes, and not  
 single Law makers. I acknowledge that in  
 his Epistle to the Bishops of *Dardania*, he  
 attributeth much to the Bishops of Rome  
 with a Councell; but it is not in making  
 new Lawes or Canons, but in executing old,  
 as in the case of *Athanasius* and *Chrysostome*.  
 The Privileges of the Abby of Saint Austin in *Eadms.*  
 Englad granted by the Popes, were condemned l.4. p. 3.  
 as null, or of no validity, because they were 92.  
 not ratified by the King, and approved by the  
 Peers. William the Conquerer would not suffer *Eadms.*  
 any man within his Dominions to receive the l.1. p. 3.  
 Pope for Apostolicall Bishop, but by his com- 6.  
 mand, nor to receive his letters by any meanes;  
 unlesse they were first shewed to him. It is  
 likely this was in a time of Schisme,  
 when there were more Popes then  
 one;



one, but is sheweth how the King did interest himself in the affaires of the Papacy, that it should have no further influence upon his subjects then he thought fit. He who would not suffer any man to receive the Popes letters without his leave, would much less suffer them to receive the Popes lawes without leave. And in his prescript to Remigius Bishop of Lincolne, *know ye all Earles and Viscounts, that I have judged, that the Episcopall (or Ecclesiasticall) lawes which have bene of force untill my time in the Kingdome of England, being not well constituted according to the precepts of the holy Canons, should be amended in the common assembly, and with the Counsaile of my Arch-Bishops and the rest of the Bishops and Abbats, and all the Princes of my Kingdome.* He needed not the helpe of any forreine Legislation, for amending Ecclesiasticall Canons and the externall regiment of the Church.

Now let us see whether the Libertyes of France be the same with our English Privileges. The second Liberty is this, *The Spirituall Authority and power of the Pope is not absolute in France (if it be not absolute then it is not singly Legislative,) but limited and restrained by the Canons and ancient Councils of the Church.* If it be limited by

Ancient

Ancient Canons, then it hath no power to abrogate Ancient Canons by new Canons. Their ancient Canons are their Ecclesiasticall Lawes, as well as ours, and those must be received in that Kingdome. They may be excellent Advisers without reception: but they are no Lawes without publick reception, Canons are no Canons either in England or in France, further then they are received.

The third Liberty is, *No Command whatsoever of the Pope* (Papall decrees are his chief Commands) *can free the French Clergy, from their Obligation to obey the Commands of their Sovereign.* But if Papall power could abrogate the ancient Lawes of France, it did free their Clergy, from their Obedience to their Sovereign Prince.

The sixteenth Liberty is, *The Courts of Parliament have power to declare null and void the Popes Bulls, whē they are found contrary to the Liberties of the French Church, or the Prerogative Royall.*

The twentieth Liberty, *The Pope cannot exempt any Church, Monastery, or Ecclesiasticall Body from the jurisdiction of their Ordinary, nor erect Bishopricks into Arch Bishopricks, nor unite them, nor divide them, without the Kings license.* England and France as touching their Liberties walk hand in hand.

To conclude, the Popes legislative power in England was a grosse Vsurpation, and was suppressed before it was well formed. But they are affraid of the old Rule, *Breake ice in one place and it will crack in more.* If they did confesse one Errour, they should be suspected of many; If their Infallibility was lost, all were gone: And therefore they resolve to bear it out with head and shoulders, and in place of disclaiming a single power to make Ecclesiasticall Lawes, and to give them a coactive obligation in exteriour Courts, they challenge a power to the Pope (some say ordinarily, others extraordinarily; some say directly other indirectly,) to make and abrogate Politicall Lawes throughout Christendome, against the Will of Sovereign Princes. They who seem most moderate and Cautelous among them are bad enough, and deserve right well to have their workes inserted into the Rebels Catechisme. *If a Civill Law be hurtfull to the Soules of Subjects and the Prince will not abrogate it, If another Civill Law be healihfull to the Soules of the Subjects, and the Temporall Prince will not enact it; The Pope as a Spirituall Prince may abrogate the one, and establish the other. For Civill power is inferiour, and consequently subject to Spirituall power.* And,

*Bell. de  
Rom.  
Pont.  
l. 5. c. 6.*

And, *The Ecclesiastick Republick ought to be perfect and sufficient to attaine its end: But the power to dispose of things Temporall is necessary to attaine Spirituall ends.* And, *It is not lawfull to chuse an Infidel or Hereticall Prince, but it is the same danger or dammage to chuse one who is no Christian, and to tolerate one who is no Christian, and the determination of the Question whether he be fit to be tolerated or not, belongs to the Pope.* In good time. From these premisses, wee may well expect a necessary Collusion. Who ever see such a Rope of Sand, so incoherent to it self, and consisting of such Heterogeneous parts, composed altogether of mistakes? Surely a man may conclude that either *nocte pinxit*, The learned Author painted this Cypresse tree in the night, or he hath a pittifull penurious Cause, that will afford no better proofes. But I hope the quarrel is dead or dying, and with it much of that Animosity which it helped to raise in the World. At least I must doe my Adversaries in this cause that right, I find them not Guilty of it. Let it dye and the memory of it be extinguished for ever and ever.

## Sect. 1. Cap. VII.

*The Pope hath no judi-  
ciary power in  
England.* So I passe over from the Popes Legisla-  
tive power, to his Iudiciary power. Perhaps  
the Reader may expect to find something  
here of that great Controversy between  
Protestants and Papists; whether the Pope  
be the last, the highest, the infallible Iudge  
of Controversies of faith, with a Councell  
or without a Councell? For my part I doe  
not find them so well agreed at home, who  
this Iudge is. All say it is the Church,  
but in Determining what Church it is, they  
differ as much as they and wee. Some say  
it is the Essentiall Church by reception,  
whatsoever the Vniversall Church receiveth  
is infallibly true; Others say it is the Re-  
presentative Church, that is a Generall  
councell; Others say it is the Virtuall  
Church, that it is the Pope; Others say it  
is the Virtuall Church and the Represen-  
tative Church together, that is the Pope  
with a Generall Councell; Lastly, others  
say it is the Pope with any councell, either  
Generall, or Patriarchall, or Provinciaall, or  
(I thinke) his College of Cardinalls, may  
serve the turne.

And concerning his infallibility all men  
confesse

confesse, that the Pope may erre in his Iudgement and in his Tenets as he is is a private Doctor, but not in his Definitions. Secondly the most men doe acknowledge, that he may erre in his Definitions, if he Define alone without some Councell either generall or Particular. Thirdly others goe yet higher, that the Pope as Pope with a particular Councell may Define erroneously or heretically, but not with a Generall Councell. Lastly many of them which goe along with others for the Popes Infallibility, doe it upon a Condition, *Si maturus procedat, & consilium audiat aliorum Pastorum*. If he proceed maturely, and hear the Counsell of other Pastors. Indeed Bellarmine saith that if any man should demand, *Whether the Pope might erre if he defined rashly? Without doubt they would all answer, that the Pope could not define rashly.* But this is meer presumption without any colour of prooffe. I appeale to every rationall man, of what communiõ soever he be, whether he who saith, *The Pope cannot erre if he proceed maturely upon due advise*, doe presume that the Pope cannot proceed immaturely or without due advise, or not rather that he may proceed rashly and without due advise. Otherwise the condition was vainly and superfluously added, *frustra fit per plura quod fieri potest per pauciora.*

Bell. de  
 Rom.  
 Pont.  
 lib. 4.  
 Cap. 2.

But the truth is, wee have nothing concerning this Question, nor concerning any Iurisdiction meerly Spirituall in all the Statutes of Henry the eighth. They doe all intend Coactive Iurisdiction in the Exterieur Court of the Church : Yet although nothing which he saith doth constrain me, I will observe my wonted Ingenuity. Wee give the Supreme Iudicature of Controversies of Faith to a Generall Councell, and the Supreme Power of Spirituall Censures, which are Coactive onely in the Court of conscience; but if the Sovereign Prince shall approve or confirm the Acts of a generall Councell, then they have a Coactive power in the Exterieur Court, both Politicall and Ecclesiasticall. There is nothing that wee long after more, then a generall Councell rightly called, rightly proceeding; or in defect of that a free Occidentall Councell, as Generall as may be. But then wee would have the Bishops to renounce that Oath which hath been obtruded upon them, and the Councell to declare it void. *I. A. Bishop &c. will be faithfull to St. Peter, and to the Holy Apostolicall Church of Rome, and to our Lord Pope Alexander &c. I will be an assistent to retein and to defend the Roman Papacy and the Royalities of St. Peter.* Where this Oath is esteemed Oblig-



Obligatory, I doe not see how there can be a Free Councell.

But I retire my self to that which concerneth our present Question and the Lawes of Henry the eyghth, concerning Iudiciary Power in the Exteriour Court of the Church. The First Branch of this third Vsurpation *The* s, *Whether the Bishop of Rome can receive Pope cā* *Appeales from England, and send for what receive* *Englisb Subjects he please: h to Rome, without no ap-* *the Kings leave ?* The First President, and *peales* the onely President that we have of any Ap- *from* *peale out of England to Rome, for the First England* thousand yeares after Christ, was that of Wilfrid Arch-Bishop of Yorke; though to speak the truth, that was rather an Equitable then a Legall, appeale to the Pope, as the onely Bishop of an Apostolicall Church in the west, and an honorable arbitrator, and a Faithfull Depositary of the Apostolicall Traditions, not as a Superiour Iudge. For neither were the Adverse Parties summoned to Rome, nor any witnesses produced, both which ought to have been done in a Legall Appeale. But the successe was so contrary to the Popes Interest, and the Resolution of the King Church and Kingdome of England so unanimous, That they could not assent to the Popes Legation, because it was against reason that a person

twice

twice condemned by the whole Councell of the English, should be restored upon the Popes Letter, that England was never troubled with any more appeales to Rome untill after the Conquest. Neither Durst the Pope send any Bulls or Mandates then, but a plain Letter.

*Malm.  
de gestis  
Pont.  
Angl.  
l. 1.*

*leg. Hen  
1, c. 31*

*Mat.  
Par. an.  
1164.*

The next Appellant was *Anselm* a Stranger (who knew not the liberties of England) in the Dayes of *Henry* the first, as succeslesse as *Wilfrid* had bene. Will you trust the Testimony of a King? (And I know not why a King should not be trusted for the Customes of his own Kingdome) Hear King *Henry* the First the Sonne of the Conquerour, *It is a Custome of my Kingdome instituted by my Father*, (instituted indeed, but not first instituted, for it was an old Saxon Custome) *that no Pope be appealed to without the License of the King*. Another Law of the same King was, *By all meanes wee discharge forrain Indgements*. If you will not trust the King, trust the whole Kingdome upon their Oaths, in the Dayes of *Henry* his Grandchild. The First English Custom cited in the Assise of Clarendon is this, That all Appeales in England must proceed regularly from the Archdeacon to the Bishop, from the Bishop, to the Arch Bishop, and if the Arch Bishop failed

to doe Iustice, the last complaint must be to the King  
 to give order for redresse. If wee will not trust Eadme-  
 the King and Kingdome, Yet let us trust the 7us l. 5.  
 Pope him self: thus Paschal the secōd wri- p. 113.  
 teth to our Henry the first, *The Popes Nun-*  
*cioes and Letters doe find no reception within thy*  
*Jurisdiction, There are no Complaints from these*  
*parts, no Appeales are destined to the Aposto-*  
*lick See.* The Abbat of Thorney found this *Hove.*  
 true by experience, who lay long in prison *den an.*  
 notwithstanding his Appeale to Rome. 119.  
 The Case is so plaine, that I shall not cite  
 one Authority more in it, but onely one of  
 our Statute Lawes, made not onely by the  
 Assent (as is usuall) but upon the prayer,  
 and grievous and clamorous Complaints of  
 the Peers and Commons; That because xxvij.  
 People are Drawn out of the Realm to answer *Edw. 3.*  
 things, the Cognisance whereof belongeth to the  
 Kings Courts, and the Iudgements of the Kings  
 Courts are impeached in another Court (the  
 Court of Rome,) to the disinheriting of the  
 king and his Crown, and the undoing and de-  
 struction of the Common Law of the Land: There  
 fore it is ordeined, that whosoever shall draw  
 a man out of the Realm in Plea, if he doe not ap-  
 peare upon Summons and conform to the sence  
 of the kings Court, he shall forfeit Lands and  
 Goods, be outlawed and imprisoned.

Against

Against such Fortifications grounded upon Prescription and Imperiall Lawes, the Canon of the Councell of *Sardica* will make no great Battery. Take the Councell of *Sardica* at the best, waving all exceptions, yet certainly it was no generall Councell; If it were, it had been one of the four first. If it had been a generall Councell it self, three succeeding Popes were much to blame, to Father the Canons of it upon the first Generall Councell of *Nice*. The Canons of the Councell of *Sardica* did not bind the Africans of old, much lesse bind us now. Secondly, the Canon of *Sardica* doth onely give way to Appeales to Rome in cases between two Bishops: but the Court of Rome admitteth Appeales from inferiour Clergy men, from Lay men, from all sorts of men, in all sorts of Causes that are of Ecclesiasticall Cognisance. Thirdly, the Canon of *Sardica* is a meer permission, no precept, what may be done in discretion, not what ought to be done of necessity: it was proposed with a *Si vobis placeat*, If it please you, and the ground of it is a Complement, *Let us honour the Memory of S. Peter*. Fourthly, There is one great Circumstance in our Case, which varieth it quite from that

that proposed by *Osius* to the Sardican Fathers, that is, that our King and the Lawes of the Realm do forbid Appeals to Rome. If there had been such an Imperiall Law then, doe wee thinke that the Fathers of *Sardica* would have been so disloyall, or so simple to thinke to abrogate the Imperiall Lawes by their Canons, which are no Lawes but by the Emperours Confirmation? No, the Fathers of that Agedid know their duty too well to their Emperour, and if they could have foreseen what avaricious practises, and what grosse Oppressions, would have sprung in time from this little seed of their Indulgence, they would have abhorminated them. Lastly, supposing the Sardican Councell had been of more Authority, and the Canon thereof of more Extent then it was, and more peremptory, and that there had been no such intervening impediment why English Subjects could not make use of that Remedy: yet the Councell of *Sardica* can give but humane right, And a contrary Prescription for a thousand years, is a sufficient Enfranchisement from all pretence of humane right.

The

*Of Pa-* The second branch of this Vſurpation;  
*pal Bull* is as cleare as the former, concerning Pa-  
*les and* pall Bulls and Excommunications; That by  
*excom-* our ancient Lawes they cannot be executed  
*munica-* in England without the Kings Leave. In  
*tions.* the Aſſiſe of Clarendon, this is found to be  
 one of the ancient Cuſtomes of England,

*Ma.* That none of the Kings Servants or Tenen-  
*Par.* tals that held of him in Capite, might be excommu-  
*Anno* nicated, or their Lands interdicted, before the  
 1164. King was made acquainted. There was a ſe-  
 vere Lawe made in the Reign of the ſame

*Hoved.* King, If any man be found bringing in the Popes  
*in Hen.* Letter or Mandate, Let him be apprehended,  
 2. and let juſtice paſſe upon him without delay, as a  
 Traitor to the King and Kingdome. It ſeemeth

that the firſt and ſecond Henryes, were no  
 more propitious to Rome then Henry the  
 eighth. Take one Statute more; it was  
 enacted in full Parliament by Richard the

26. ſecōd, that if any did procure or purſue any ſuch  
*Ric. 2.* Proceſſes or excommunications in the Court of Ro-  
*cap. 4.* me, as are there mentioned, that is, concerning  
 preſentations to benefices or dignities Eccle-  
 ſiaſticall: and they who bring them into the  
 realm, or receive them, or execute them, ſhall  
 be put out of the Kings protection, their Lands  
 Goods and Chattells be conſiſcated to the King,  
 and their Bodies attached. They had the ſame  
 reſpect

respect for the Popes Bulls as often as they did not like them, in Henry the fourths 2. Hen. time, as we see by the Statute made against 4. c. 4. those, who brought or prosecuted the Popes Bulls granted in favour of the Cistercians. By the Placita Law of England if any man denounced the Popes Excommunication, without the assent of the King, he forfeited all his Goods, Edw. 1. And it is recorded in particular, how the Kings writ issued out against the Bishops of London and Norwich, as being at the Kings Mercy, because contrary to the Statute of Hoved. Clarendon, by the Popes Mandate, they had interdicted the Lands of Earl Hugh, and had published an Excommunication without the Kings License, which the Pope had given out against him. All these Lawes continued still in force, and were never repealed in England, neither before Henry the eighth began the reformation, nor since by Queen Mary, but have ever continued in full force untill this day.

Lastly for Legates and Legantine courts, there could be no Appeale in England to any Legate or Nuncio without the Kings leave; but all Appeales must be from the Archdeacon to the Bishop, from the Bishop to the Archbishop, from the Archbishop to the King, as we see expressly by the statute

Or Pa-  
pall Le-  
gates.



rute of Assise of Clarendon formerly cited.  
*Eadme-* The Kings of England did ever deem it to be  
*rus l. 5.* an unquestionable right of the Crown (as *Ead-*  
*p. 125.* merus testifieth) to suffer none to exercise the  
 Office of a Legate in England, if the King him-  
 self did not Desire it of the Pope, upon some great  
 quarrell that could not be so well Determined by  
 the Arch-bishop of Canterbury and the other  
 Bishops. Which Privilege was consented  
*Ibid.* unto by Pope Calixtus. By the Lawes of  
 England, if a Legate was admitted of Cour-  
 tesy, he was to take his Oath to doe nothing De-  
*Plat.* rogatory to the King and his Crown. Henry  
*An. 1.* the sixth by the counsaile of Humphry Duke  
*He. 7.* of Gloster the Protector, protested against  
 Pope Martin and his Legate, that they  
*Acts* would not admit him contrary to the Lawes  
 and and Liberties of the Realm, and dissented from  
*Mo-* whatsoever he did. And when the Pope had  
*numents.* recalled Cardinall Pooles Commission of  
 Legate for England, and was sending ano-  
 ther Legate into England, Queen Mary  
 being very tender of her Kinsmans Ho-  
 nour, for all her good affection to Rome,  
 was yet mindfull of this point of old En-  
 glish Law, to cause all the Seaports to be  
 stopped, and all Letters Briefs and Bulls  
 from Rome to be intercepted and brought  
 to her. Shee knew this was an old En-  
 glish

glish, not a new protestant Privilege: Neither would she ever admit the new Legate to appeare as Legate in her presence.

Now let us see how these old English Customes doe agree with the French Liberties. *The Pope cannot send a Legate a latere into France with power to Reform, Iudge, Collate, dispensa, except it be upon the desire or with the Approbation of the most Christian King.* Neither can the Legate execute his Charge, untill he hath promised the King under his Oath upon his holy Orders, to make no longer use of the Legantine power in the Kings Dominions then it please him, That he shall attempt nothing Contrary to the Liberties of the Gallicane Church. And it is lawful to Appeale from the Pope to a future Councell.

Another Liberty is, *The Commissions and Bulls of Popes are to be viewed by the Court of Parliament, and registred, and published with such Cautiōs as that Court shall Iudge expedient.*

A third Liberty is, *Papall Bulls Sentences Excommunications and the like, are not to be executed in France, without the Kings command or Permission.*

Lastly, *neither the King, nor his Realm, nor his Officers, can be Excommunicated nor Interdicted by the Pope.*

K

And

And as England and France, so all the  
 seventeen Provinces, did enjoy the same  
 Privileges, as appeareth by the Placaet of  
 the Councell of Brabant, dated at Bruxelles  
 May 12, An. 1653. Wherein they declare,  
 that it was notoriously true, that the subjects  
 of those Provinces, of what State or Condition  
 soever (that is the Clergy as well as the  
 Laity) cannot be cited or convened out of the  
 Land, no not before the Court of Rome itself.  
*And that the Censures Excommunications*  
*&c of that Court, might not be published*  
*or put in execution without the Kings Appro-*  
*bation.* It seemeth that if the Pope had any  
 judiciary power of old, he must seek it  
 nearer Home; People had no mind to  
 goe over the Alpes to seek for Justice.  
 And that Ordinance of Saint Cyprian,  
 had place every where among our Ance-  
 stours, Seing it is decreed by all, and it is  
 equall and just that every mans cause be heard  
 there where the Crime was committed, and a  
 Portion of the Flock is assigned to every Pastor,  
 which he may rule and govern, and must render  
 an account of his Actions to the Lord; It be-  
 hoveith those whom wee are over, not to run up  
 and down, nor to knock Bishops who agree  
 well, one against another, by their Cunning  
 and deceifull Rashnesse; but to plead their  
 Cause

Cypr.ad  
 Cornel.  
 Ep. 55.

*Cause there, where they may have both Accusers and Wiunesses of their Crime. Knlesse the Authority of the African Bishops who have Iudged them already, seem lesse to a few desperate and lost persons &c. To say S. Cyprian meant not to condemne appeales, but onely the bringing Causes out of Africk to Rome in the first Instance, is a shift as desperate as that of those Fugitives. For St. Cyprian telleth us plainly that the cause was already Iudged, and sentence given in Africk; The first Instance was past, and this Canon was made against Appeales out of Africa to Rome.*

*Sect I. Cap VIII.*

So from his Iudiciary power I come to Of Pa-  
Papal dispensations, the last of the grosser *pal dis-*  
Vlurpations of the Bishops of Rome. Where *pensati-*  
I have a large Field offered me to expa-  
tiate in, if I held it so pertinēt to the present  
Controversy. The Pharisees did never di-  
late their Philacteries so much as the Ro-  
man Courtiers did their dispensative power.  
The Pope dispenseth with Oathes, with  
Vowes, with Lawes, he looseth from  
Sinnes, from Censures, from Punishments.  
Is not this a strange Key, which can unlock

both finnes, and censures, and Panishments, and Lawes, and Oaths, and Vowes, where there are so many and so different wards? It is two to one that it proveth not a right Key, but a Picklock. Their doctrin of Dispensations was foule enough, especially in such cases as concern the Law of God or Nature; as Oaths, Vowes, Leagues, Marriages, Allegiance. For either they make the dispensation to be onely Declarative; and then the Purchaser is meerly Cheated, who payes his money for nothing: Or else they make all Contracts, Leagues, promises to be but Conditionall, *If the Pope approve them*, which destroyeth all mutuall trust and humane Society: Or thirdly they make the Popes Dispensations, to be a taking away of the matter of the Vow or Oath, that is, the Promise; as if the Papall power could recall that which is past, or make that to be undone to day which was done yesterday, or that not to be promised which was promised: Or lastly they doe dispense with the Law of God and Nature, as they doe indeed, what soever they pretend to the Contrary, or all this kind of dispensations signify nothing.

But the Practise of Dispensations was much more foule. Witnesse their Penitentiary Taxe, wherein a man might see the

Price

Price of his Sin before hand, Their common Nundination of Pardons, Their absolving Subjects from their Oaths of Allegiance, Their loosing of Princes from their solemne Leagues, of Married people from the Bonds of Matrimony, of Cloysterers from their Vowes of Celibate, of all sorts of persons from all Obligations Civill or sacred. And whereas *no Dispensation ought to be gramed without just cause, now there is no cause at all inquired after in the Court of Rome, but onely the Price.* This is that which the *Memo-* nine choise Cardinalls laid so close to the *riall. de* conscience of Paul the third, *How Sacred and sa Ma-* Venerable the Authority of the Lawes ought to be, *gestad.* how unlawfull and pernicious it is to reape any *Catoli-* gaine from the exercise of the Keys. They in- *ca cap* veigh sadly throughout against dispēsiōs, 6. and among other things that *Simoni* acall persons were not affraid at Rome, first to commit Simony, and presently to goe buy an Absolutiō and so reteine their Benefice. *Bina Venena* juvant. Two grosse Simonies make a title at Rome, Thankes to the Popes dispensations.

But I must contract my discourse to those Dispensations which are intended in the Lawes of Henry the eight, that is, the power to dispense with English Lawes in the Exterior Court, Let him bindor loose inwardly

whom he will, whether his Key erre or not, we are not concerned. Secondly as he is a Prince in his own Territories, he that hath power to bind, hath power to loose, He that hath power to make Lawes, hath power to dispense with his own Lawes. Lawes are made of Common Events. Those benigne Circumstances which happen rarely, are left to the dispensative Grace of the Prince. Thirdly as he is a Bishop, whatsoever dispensative power the ancient Ecclesiasticall Canons, or Edicts of Christian Emperours, give to the Bishop of Rome within those Territories which were subject to his Jurisdiction by Humane right, we do not envy him; So he suffer us to enjoy our ancient Privileges and Immunities, freed from his encroachments and Vsurpations. The Chief ground of the Ancient Ecclesiasticall Canon was, *Let the Old Customes pre-vaile*. A Possession or Prescription of eleven hundred yeares, is a good ward both in Law and Conscience against humane Right, and much more against a new pretense of divine right. For eleven hundred yeares our Kings and Bishops enjoyed the sole dispensative power, with all English Lawes Civill and Ecclesiasticall. In all which time he is not able to give one Instance of a Pa-  
 pall



(151)

full Dispensation in England, nor any shadow of it when the Church was formed. Where the Bishops of Rome had no Legislative power, no Iudiciary power in the Exteriour Court, by necessary consequence they could have no Dispensative power. The first reservation of any Case in England to the Censure and absolution of the Pope, is supposed to have been that of *Albericus* the Popes Legate, in an English Synod in the yeare 1138. *Neque quisquam ei prater Romanum Pontificem, nisi mortis urgente periculo, modum penitentiae finalis injungat.* Let no man injoyne him the manner of finall Pennance but the Bishop of Rome, except in danger of death.

But long before this, indeed from the beginning, our own Bishops (as the most proper Iudges, who lived upon the place and see the nature of the Crime and the degree of the Delinquents Penitence or Impenitence,) did according to equity relaxe the rigour of Ecclesiasticall Canons; as they did all over the Christian world, before the Court of Rome had usurped this gainfull Monopoly of Dispensations. In the Lawes of *Alured* alone, and in the conjoint Lawes of *Alured* and *Guthrun*, we see how many sortes of Ecclesiasticall crimes were dispensed withall by the sole authority

*Gervas  
Dorber.  
pag  
1648.*

*Spelm:  
Concil.  
pa. 364.  
&c.*

*ibid.  
p. 481.*

*Lanf.  
Ep. 32.*

*Eadm.  
l. 3. p.  
57.*

of the King and Church of England ; and satisfaction made at home to the King, and to the Church, and to the Party grieved, or the Poore, without any manner of reference at all to the Court of Rome, or to any foreign Dispensation. The like we find in the lawes of some other Saxon Kings. There needed no other penitentiary tax. *Dunstan* the Arch-Bishop had Excommunicated a great Count, He made his Peace at Rome, and obtained the Popes Commaund for his restitution to the bosome of the Church. *Dunstan* answered, *I will obey the Pope willingly when I see him penitent*, But it is not Gods will that he should lie in his sinne free from Ecclesiasticall discipline to insult over us. God forbid that I should relinquish the law of Christ for the cause of any mortall man. Roman dispensations were not in such Request in those daies.

The Church of England dispensed with those Nunnes, who had fled to their Nunneries not for the love of religiō, but had takē the veile upon them meerly for feare of the French ; and this with the counseile of the King in the daies of *Lanfranke* : and with *Queene Maud* the wyfe of *Hēry the First* in the like case, in the daies of *Anselme*, without any suite to *Rome* for a forreine dispensatiō.

There can be nothing more pernicious then

then where the sacred Name of Law, is prostituted to avaricious ends; Where Statutes or Canons are made like Pitfalls or Traps to catch the Subjects by their purses; where profitable faults are cherished for private Advantage by Mercenary Iudges, as beggars doe their sores. The Roman *Rota* doth acknowledge such ordinary avaricious Dispensations, to be *Odious things*. The Delected Cardinalls make them to be sacrilegious things, an *unlawfull selling of the power of the Keys*. Commonly they are called *Vulnera Legum*, The woundes of the Lawes: And our Statutes of Provisers doe stile them expressly *the undoing and Destruction of the Common Law of the Land*. The King, the Lords Spirituall and Temporall, and the whole Common wealth of England, complained of this abuse as a mighty Grievance; *Of the frequent comming among them of this infamous Messenger the Popes Non Obstante*, (that is his Dispensations) by which Oaths, Customes, Writings, Grants, Statutes, Rights, Privileges, were not onely weakened but exinanised. Sometimes these Dispensative Bulls came to legall Tryalls, and were condemned. By the Law of the Land the Archbishop of Canterbury was Visiter of the University of Oxford, Boniface the eyght by his Bull dispesed with this law, and exepcted the

27.  
Edw. 3.

Mat.  
Pa. an.  
1245.

Vniversity from the Iurisdiction of the Arch-Bishop. Whereupon there grew a Controversy, and the Bull was decreed voide in Parliament by two succeeding

*Ex Arch. Tur. London. Ex An-* Kings, as being obtained to the Prejudice of the Crown, the weakning of the Lawes and Customes of the Kingdome, (in favour of Lollards and hereticks) and the probable Ruine of the said Vniversity.

*tiq. A. cad. Cantab. pa. 91.* How the Liberties of France and the Lawes and Customes of England doe accord in condemning this Vsurpation wee have seen formerly, The power of the Pope is not absolute in France, but limited and restrained by the Canons of Ancient Councells. If it be Limited and restrained by Ancient Canons, then it is not Paramount above the Canons, then it is not dispensative to give Non Obstantie's to the Canons. And the Popes Legate may not execute his Commission, before he have promised under his Oath upon his holy Orders, that he will not attempt any thing in the exercise of his Legantine power to the Prejudice of the Decrees of Generall Councells, or the Privileges of the French Church. Then he must give no Dispensations against the Canons, or Contrary to those Privileges.

Thus we have viewed all the reall differences between the Church of Rome and us, concerning Papall power which our

Lawes

Lawes take notice of. There are some other petty Abuses which we complain of, but they may be all referred to one of these four heads, The Patronage of the Church of England; The Legislative, The Judiciary, and Dispensative powers. Other differences are but the Opinions of particular Persons: But where no Law is there is no Transgression. Wee have seen evidently, that *Henry* the eighth did cast no Branch of Papall power out of England, but that which was diametrically repugnant to the Ancient Lawes of the Land, made in the Reign of *Henry* the fourth, *Richard* the second, *Edward* the third, *Edward* the first, *Henry* the third, *Henry* the second; And these Lawes ever of Force in England, never repealed, no not so much as in *Queen Maryes* time, when all the Lawes of *Henry* the eighth and *Edward* the sixth which concerned the Bishop of *Rome* were repealed. So that I profess clearly, I doe not see what advantage *Henry* the eighth could make of his own Lawes, which he might not have made of those ancient lawes; except onely a gawdy title of *Head of the English Church*, which survived him not long; and the *Tithes and first fruits* of the Clergy, which was so late an usurpation of the Pope, that it was not in the nature of things, whē those ancient lawes were made.

And

(156)

And since I have mentioned the Novelty of that upstart Vsurpation , giveme leave to let you see how it was welcommed into England , whilest it was but yet hatching with the shell upon the Head of it , By a Law of Henry the fourth , about an Hundred yeares before Henry the eyghth, (so late this Mushrom began to sprout up,) For  
6. *the grievous Complaints made to the King by*  
*Hen. 4. his Commons in Parliament, of the horrible Mis-*  
*cap. 1. chiefs and Damnable Custome which is introduced*  
*af new in the Church of Rome, that none*  
*could have Provision of an Archbishoprick,*  
*untill he had compounded with the Popes Chamber*  
*to pay great excessive summes of money, as well*  
*for the First fruits as other lesser Fees and*  
*Perquisites, &c. The King ordeineth in*  
*Parliament, as well to the Honour of God as*  
*to eschew the Damage of the Realm and perill*  
*of soules , That whosoever shall pay such*  
*summes should forfeit all they had, or as*  
*much as they might forfeit. Wherein are Hen-*  
*ry the eights Lawes more bitter against the*  
*Bishop of Rome , or more severe then*  
*this is?*

To conclude , we have seen the precise time when all these Weeds did first begin to peep out of the earth, The very first Introduction to the intended Pageant, was the spoiling of Christian Kings of the Patronage  
of



(157)

of the Church, which *Bellarmino* confesseth  
that they held, *Per non breve tempus*, For a *Apol.*  
long time. Along time indeed, so long as *Card.*  
there had been Christian Princes in the *Bell.*  
world, from *Constantine* the Great to *Henry* contra  
the fourth in the Empire; and yet longer *praf.*  
with us in Brittain, from King *Lucius* to *Monit.*  
*Henry* the First. The Clergy of *Liege* say, p. 66.  
*Nimum effluxit tempus quo hae consueudo in- Epist.*  
cepit, &c. It is too long since this *Custome* Cler.  
(offswearing fidelity to Princes) did begin. *Leod.*  
And under this *Custome* Holy and Reverend *Contra*  
Bishops have yielded up their soules to God, *Pasch.*  
giving to *Cesar* that which was *Cesars*, and to 2. in 2.  
God that which was Gods. But the rose up *Po- tom.*  
*pe Hildebrand* otherwise called *Gregory* the *Conc.*  
seventh, *Fortissimus Ecclesiae Dei Vindex*, The  
most undaunted Vindicator of the Church of *Bell.*  
God, Who feared not to revoke and defend the *ibid.*  
old Holy Ecclesiasticall Lawes. With this  
accordeth the Church of *Liege*, *Hildebran-*  
*us Papa Author hujus Novelli Schismatis, pri-*  
*mus Levavit Sacerdotalem Lanceam contra*  
*Diadema Regni &c.* Pope *Hildebrand* the  
author of this new Schisme, first list up his *Episco-*  
*pall Lance* against the Royall diadē. And a little  
after, *Si uiriusque Legis totam Bibliothecam &c.*  
If I turn over the whole Library of the old and  
new Law, and all the ancient *Expositors* thereof  
I



*I shall not find an Example of this Apostolical precept, onely Pope Hildebrand perfected the Sacred Canons, when he Commanded Maud the Marchionesse to subdue Henry the Emperour, for remission of her Sinnes.*

I take no exceptions to the person of Pope Hildebrand, others have done it sufficiently. Whether the Title of Antichrist was fastened upon him justly or unjustly,

*Bern. I regard not. Yet it was in the time of this*  
*Ep. 56. Hildebrand and Paschalis his Successor, that*  
*the Arch-bishop of Florence affirmed by re-*  
*velatiō, (for he protested that he knew it most*

*Bern. certainly) that Antichrist was to be revealed in*  
*Serm. that age. And about this time the Walden-*  
*65. in ses, (of whom St. Bernard saith that if we inquire*  
*Cant. into their Faith, nothing was more Christian, if*  
*into their Conversation, nothing was more irre-*  
*prehensible,) made their Secession from the*  
*Bishop of Rome. And not long after in*  
*the yeare 1120. published a Booke to the*  
*world that the great Antichrist was come;*  
*That the present Governors of the Roman*

*Ioseph Church, armed with both Powers Secular*  
*Mede and Spirituall, who under the specious*  
*de Nu- Name of the Spouse of Christ did oppose*  
*meris the right way of Salvation, were Anti-*  
*Danie- christ.*

*lis. But I cannot but wonder what are those*  
*old*

old holy Ecclesiasticall Lawes which Bellarmine mentioneth, Those *Institutions of the Plat. Holy Fathers* which Hildebrand himself professeth to follow, *Sanctorum Patrum in Vita* *Greg. 7.* *stima sequentes*; Why doe they mention what they are not able to produce, or pretend what they never can perform? Bellarmin hath named but one poore counterfeit Canon, without Antiquity, without Authority, without Use, without Truth. If Mr. Serjeant be able to help him with a recruit, it would come very seasonably: for without some such helps, his pretended Institutions of the Fathers will be condemned for his own Innovations, and for arrant Usurpations, and the Guilt of Schism will fall upon the Roman Court.

*Sect. I. Cap. IX.*

*Our  
Lawes  
Meddle  
not with  
Spiri-*

But I expect it should be objected, that besides these Statutes which concern the *Patronage of the English Church, the Legislation, the Iudiciary, the Dispensative power of Popes*, there are two other Statutes made by Henry the eighth; The one *an Act for extinguishing the Authority of the Bishop of Rome*, The other *an Act for establishing the Kings Succession in the Crown*, wherein

*shall  
Juris-  
diction.  
28.  
Hen. 8.  
cap. 10.  
35.  
Hen. 8.  
cap. 5.*

wherein there is an Oath, that *the Bishop of Rome ought not to have any Iurisdiction or Authority in this Realm.* And that it is declared in the 37. Article of our Church, that *the Bishop of Rome hath no Iurisdiction in this Kingdome of England.* And in the Oath ordained by Queen Elisabeth, That *no Forreign Prelate hath or ought to have, any Iurisdiction or Authority Ecclesiasticall or Spirituall with in this Realm.*

I answer this Objection three wayes. First as to the two Lawes of Henry the eighth, They are both repealed long since by Queen Mary, and never were restored by any succeeding Prince, If there were any thing blame worthy in them let it dye with them. I confesse I approve not the Construing of one Oath for another, nor the swearing before hand to Statutes made or to be made. But, *De mortuis nil nisi bonum.*

Secondly, I answer according to the equity of my second ground, that although it were supposed that our Ancestors had overreached themselves and the truth in some expressions: yet that concerns not us at all, so long as we keep our selves exactly to the Line and Level of Apostolicall Tradition

Thirdly and principally I answer, That our Ancestors meant the very same thing  
that

that we doe. Our onely difference is in the use of the Words *Spirituall Authority or Iurisdiction*, Which we understand properly of Iurisdiction purely Spirituall, which extendeth no further then the Court of Conscience. But by *Spirituall Authority or Iurisdiction*, they did understand Ecclesiasticall Iurisdiction in the Exteriour Court, which in truth is partly Spirituall partly Politicall; The interiour habit which enableth an Ecclesiasticall Iudge to Excommunicate, or Absolve, or degrade, is meerly Spirituall, but the Exteriour Coaction is Originally Politicall. So our Ancestors cast out Externall Ecclesiasticall Coactive Iurisdiction, The same doe wee: They did not take away frō the Pope the power of the Keyes, or Iurisdiction purely Spirituall; No more doe wee.

To cleare the whole businesse, We must know, that in Bishops there is a threefold power; The first of Order, The second of Interiour jurisdiction, The third of Exteriour jurisdiction. The first is referred to the Consecrating and Administring of the Sacraments, The second to the Regiment of Christians in the interiour Court of Conscience, The third to the Regiment of Christian people in the Exteriour Court of the Church. Concerning the two former, I know no Controversy between the

L Church

Church of Rome and us but one; Whether the Bishop of Rome alone *doe derive his Jurisdiction immediatly from Christ, and all other Bishops do derive theirs mediately by him?* Yet I confesse this Controversy is but with a part of the Church of Rome: For many of them are of our mind, that *all Bishops hold their Jurisdiction immediatly from Christ, as well as the Pope.* And if it were otherwise, it were the grossest absurdity in the world. For thousands of Bishops in Christendome, doe not at all derive their holy Orders from *S. Peter*, or any other Roman Bishop, either mediately, or immediatly (especially in *Asia* and *Africa*,) but frō the other Apostles. Must all these poore Bishops wāt the Key of Jurisdiction, and be but half Bishops, to humour the Court of *Rome*? For they never had ordination, or Delegation, or Commission from *Rome*, either mediately or immediatly, yet the Christiā World hath evermore received them for true complete Bishops.

But we have a Controversy with some others, who acknowledge no power of Governing in a Bishop but meerly directive, neither more nor lesse then a Phisitian hath over his Patient, To advise him to abstain from some meats because they are hurtfull to him; which advise the Patient, may either obey or reject without sinne. But all the Schooles

Schooles have tyed two Keys to the Churches Girdle, the Key of Order and the Key of Iurisdiction, and I doe not mean to rob my Mother of one of her Keys. *What* 1. Cor. *will ye, shall I come unto you with a Rod?* 4. 21. A rod is more then chiding. The principall Branch of this Rod is Excommunication (a Punishment more to be feared in the Iudgement of the Fathers then all earthly Paines,) The Spirituall Sword, Like the cutting of a member in the Body naturall, Or the outlawing of a Subject in the body Politicall. It is a Question in the Schooles, whether the Pastors Sentence in binding and loosing, be onely Declarative, or also Operative? As if such glorious promises, and so great solemnity where with this power was given, did imply a naked declaration; Keys are not given to signify the doore is open or shut, but to open or shut it indeed. For my part I have alwayes esteemed this Question, to be a meer Logomachy or Contention about words. They who make the Sentence onely declarative in respect of man, doe acknowledge it to be operative in respect of God. And they who make it to be Operative, make it to be Operative by the power of God, not of mā. Whether the effect be attributed to the principall cause, or to the Instrument, being rightly understood, it is both wayes true.

I. cor.

I. 12.

But this will not excuse our Innovators, who have robbed the Church of one of her Keys, the Key of Spirituall jurisdiction. They are so Iealous of the honour of God, that they destroy the beauty of the world, and jumpe over the backes of all second causes; and so they would make the holy Sacraments to be bare Sigus. As it was said of old, *the sword of the Lord and of Gideon*: so we may say now, the Key of Christ and his Pastor. St. Paul taxeth the Corinthians for saying *I am of Paul, I am of Apollo, I am of Cephas, I am of Christ*, What (saith he) is Christ divided? Is Christ divided from his Ministers? As it is an Errour on the one hand to depend so much upon Paul, and Apollo, and Cephas, or any of them, as not to depend principally upon Christ: so it is an Errour on the other hand so depend so upō Christ, as to neglect Paul Apollo and Cephas.

Iob. 20.

21.

In summe Christ made his Apostles not onely Lawiers to give Advise, but Iudges to give Sentence. He gave them not onely a Command but a Commission, *As my Father sent me, so send I you*, That is, I doe constitute you my Deputies, and Surrogates, with as ample power and commission as my Father gave me; Bind, Loose, Remitt, Retein, whatsoever you doe on earth

(*Clave non errante, as long as your Key erreth not*)



not) I confirm in heaven. This is the Difference between the binding and loosing of Christ, and the binding and loosing of his Ministers; His power is Originall, Primitive Sovereign, Imperiall; Their power is derivative, Subordinate, Delegate, Ministeriall. His Sentence is absolute *ad Sententiandum simpliciter*; Their Sentence is Conditionall *ad Sententiandum si*. His Key never erreth, Their Key may erre and many times doth erre. To conclude the Apostles had a legislative power, *It seemed good to the Holy Ghost and to us, to lay upon you no greater Burthen then these Necessary things.* The Observation of Sunday, was an Apostolicall precept, so is the Order of Deacons. They had a Iudiciary power, and their Tribunalls; *Against an Elder receive not an Accusation, but before two or three witnesses.* They had a dispensative power, *To whom I forgave any thing for your sakes, forgave I in the person of Christ?* But all this is onely in the interior Court of Conscience.

The third power of Bishops, is the power of exterior Iurisdiction in the Court of the Church, whereby men are compelled against their wills by Exterior Meanes. This the Apostles had not frō Christ, nor their Successours frō them, Neither did Christ ever assume any such power to him self in the world, *My Kingdome is not of this world;* And, *Man whomade me a ludge or divider over you?* Yet the greatest Controversies

Act. 15  
28.

1. Tim.  
5. 19.

2. Cor.  
2. 10.

Ioh. 18.

36.

Luke  
12. 14.

Bern. de  
Confid.  
lib. 1.

at this day in the Ecclesiasticall Court are about Possessions, as Glebes, Tithes, Oblations, Portions, Legacies, Administrations, &c. And if it were not for these, the rest would not be so much valued, in *Criminibus non in Possessionibus potestas vestra, quoniam propter illa & non propter has accepistis Claves regni Calorum*, Saith, St. Bernard well to the Pope. Your power is in Crimes not in possessions, for those and not for these you received the Keys of the kingdom of Heaven. But suppose the Controversy to be about a Crime, Yet who can summon another mans Subjects to appear where they please, and imprison or punish them for not appearing without his leave? All that power which Ecclesiasticall Iudges have of Externall Coaction, they owe it wholly either to the Submission of the parties, where the Magistrate is not Christian (as the Iewes at this day doe undergoe such Penitentiall Acts as are enjoined them by their Superiours; because the Reverence of them who obey, doth supply the defects of their power who Command) Or where the Magistrate is Christian, they owe it to his Gracious Concessions. Of which if any Man doubt, and desire to see how this Coactive power, how these externall Privileges, did first come to be enjoyed by Ecclesiasticall persons,

Let

Let him read over the first booke of the Code, and the *Authenticks* or *Novels* of *Iustinian*. And for our English Church in Particular, let him consult with our best Historiographers. *Eadmerus* was one whom they need not suspect of partiality, as being Pope *Vrbanes* own Creature, and by his speciall appointment placed over *Anselm*, at his own intreaty, as a Supervisor to exercise his Obedience. Whose injunctions had so much power over him, that if he placed him in his Bed, he would not onely not rise without his Command, but not so much as turn himself from one side to another. *Ut cum Cubili locasset, non solum sine praecepto ejus non surgeret sed nec laeus inverteret.* What *Marvell* is it if the ancient Liberties of the English Church went first to wrack in *Anselms* Dayes, about the Yeare of our Lord 1000 (for he died *Anno 1109*) who being a Stranger Primate had so totally surrendered up his own reason to the Popes Creature? Yet this *Eadmerus* saith of *Lanfranke*, *Eadmer* His wisdom recovered oher Customes, which the Kings of England by their Munificence, had granted to the Church of Canterbury in ancient times, and established them for ever by their sacred Decrees, that it might be most free in all things. All externall exemption and Coaction is Politicall, and proceedeth originally from the Sovereign Prince. This

*Malms  
de  
Gest.  
Pont.  
Angl.  
l. 1.  
pa. 120.*

*Eadmer  
l. 4.  
p. 120.*

This is that which *S. Paul* teacheth us,  
*The weapons of our warfare are not Carnall.*  
 The weapons of the Church are Spirituall,  
 not worldly, not externall: But *Citations*, and  
*Compulsories*, and *Significavit*, and *Writs ad*  
*excommunicatum capiendum* (which are not  
 written by the Bishops own hand, yet at his  
 beck,) and *Apparitors*, and *Laolers*, &c, Are  
 Weapons of this world, and tend to exter-  
 nall Coaction. For all which, the Church is  
 beholden to the Civill power, to whom  
 alone externall Coaction doth properly and  
 originally belong. This is that which *St.*  
*Chrysostome* observed in his comparison be-  
 tween a Bishop and a Shepherd, *It is not*  
*lawfull to cure men, wuh so great Authority as*  
*the Shepherd cureth his Sheep.* For it is free for  
 the Shepherd, to bind his sheep, to drive them  
 from their meat, to burn them, to cut them: But  
 in the case of the Bishop, the Faculty of curing  
 consisteth not in him who administreth the Physick,  
 but in him that is sick, &c. *St. Chrysost.* speaketh  
 of power purely Spirituall, which extendeth  
 it self no further thē the Court of consciēce,  
 where no man can be cured against his will;  
 But Sovereign Princes have found it exped-  
 iēt, for the good both of the Church and of  
 the Commonwealth, to strengthen the Bi-  
 shops hāds, by imparting some of their Po-  
 liticall authority to him; from whose gra-  
 cious

*Chryso-*  
*stom. lib.*  
*2. de Sa-*  
*cerdotio.*

cious indulgence, all that externall coactive power which Bishops have, doth proceed.

Now to apply this to our purpose. Wheresoever our Lawes doe deny all Spirituall Iurisdiction to the Pope in *England*, it is in that sense that wee call the exterior Court of the Church, the *Spirituall Court*; They doe not intend at all to deprive him of the power of the Keys, or of any Spirituall power that was bequeathed unto him by Christ or by his Apostles, when he is able to prove his Legacy. Yea even in relation to *England* it self, Our Parliaments never did pretend to any power to change or Abridge divine right. Thus much our very Proviso in the body of our Law doth testify, that it was no part of our meaning, to vary from the Articles of the Catholick Faith

in any thing, *Nor to vary from the Church of Christ in any other thing, declared by the holy Scripture and the word of God, necessary to salvation.* If wee have taken away any thing that is of divine right, it was retracted before it was done. Then followeth the true Scope of our Reformation, *Onely to make an Ordinance by Pollicies necessary and convenient, to repressse Vice and for good Conservation of the Realm in peace, unity, and tranquillity, from ravine and spoile, insuing much the ancient Customes of this Realm in that behalf.*

That

25.  
Hen. 8.  
An Act  
for Exo-  
neration.

That wich professed it self a *Politick Ordinance* doth not meddle with Spirituall Jurisdiction. If it had medled with Spirituall Jurisdiction at all, it had not *insued the ancient Customes of the Realm of England,*

Ead-  
mer l.  
i. pag.  
8.

In summe that externall Papall power which we rejected and cast out, and which onely we call out, is the same which the English Bishops advised *Anselm* to renounce, when it was attempted to be obruded upon the Kingdome, *But know, that all the Kingdome complaine against thee, that thou endeavourest to take away from our Common Maister the Flowers of his Imperiall Crown, Whosoever takes away the Customes which pertain to his royall dignity, doth take away his Crown and Government together: for we prove that one cannot be decently had without the other. But we beseech thee consider, and cast away thy Obedience to that Urban, who cannot help thee if the King be offended, nor hurt thee if the King be pacified. Shake of the yoke of Subjection, and freely, as it becomes an Arch-bishop of Canterbury, in all thy Actions expect the Kings pleasure and Commands. What soever power our Lawes did divest the Pope of, they invested the King with it: but they never invested the King with any Spirituall power or Jurisdiction, witnesse the Injunctions of Queen Elisabeth,*  
witnesse

i. Eliz.  
1.

witnesse the publick Articles of our Church, witnesse the Professions of King James, witnesse all our Statutes themselves, wherein all the parts of Papall power are enumerated which are taken away; His *Entroachments*, his *Vsurpations*, his *Oaths*, his *Collations*, *Provisions*, *Pensions*, *Tenhs*, *First fruits*, *Reservations*, *Palls*, *Vnions*, *Commendams*, *Exemptions*, *Dispensations* of all kinds, *Confirmations*, *Licenses*, *Faculties*, *Suspensions*, *Appeales*, and God knoweth how many pecuniary Artifices more; but of them all, there is not one that concerneth Iurisdiction purely Spirituall, or which is an essentiall right of the power of the Keys; They are all Branches of the Externall Regiment of the Church, the greater part of them usurped from the Crowne, fundry of them from Bishops, and some found out by the Popes themselves; as the payment for Palls, which was nothing in *S. Gregoryes* time, but a free gift or liberality or bounty, free from imposition and exaction;

Lastly consider the grounds of all our grievances, exprest frequently in our Lawes, and in other writers, *The disinheriting of the Prince and Peers*, *The destruction and Anullation of the Lawes and the Prerogative Royall*, *The Vexation of the King Liege people*,  
The



*The impoverishing of the Subjects, the draining the Kingdome of its treasure, The decay of Hospitality, The disservice of God, And filling the Churches of England with Forreiners, The excluding Temporall Kings and Princes out of their Dominions, The subjecting of the Realm to spoil and ravine, grosse Simoniacall contracts, Sacrilege, Grievous and intolerable oppressions and extortions, Iurisdiction purely Spirituall doth neither disinherit the Prince nor the Peers, nor destroy and annul the Lawes and Prerogative royall, nor vex the Kings Liege people, nor impoverish the Subject, nor draine the Kingdome of its Treasures, nor fill the Churches with Forreiners, nor exclude Temporall Kings out of their Dominions, nor subject the Realm to spoile and Ravine. Authority purely spirituall is not guilty of the decay of Hospitality, or disservice of Almighty God, or Simony, or Sacrilege, or oppressions and extortions. No, No, it is the externall regiment of the Church, by new Roman Lawes and Mandates, by new Roman Sentences and Iudgements, by new Roman Pardons and dispensations, by new Roman Synods and Oaths of Fidelity, by new Roman Bishops and Clerkes; It is your new Roman Tenths, and First fruits, and Provisions, and Reservations, and Pardons, and Indulgences, and the rest of those horrible mischiefs and damnable Customs,*

stoms, that are apparently guilty of all these evils. These Papall Innovations we have taken away indeed, and deservedly, having shewed the expresse time and place and person, when and where and by whom, every one of them was first introduced into England. And we have restored to every Bird his own Feather, To the King his Politicall Supremacy, to the Peers their Patronages, to the Bishops that Iurisdiction which was due to them, either by Divine right or Humane right. More then these Innovations we have taken nothing away, that I know of. Or rather it is not wee, nor *Henry* the eighth, who did take these Innovations away: but our Ancesters by their Lawes, three, foure, five hundred yeares old; so soone as they began to sprout out, or indeed before they were well formed, as their Statutes yet extant doe evidence to the world? But that filth which they swept out at the Fore doore, the Romā Emissaryes brought in again at the back doore. All our part or share of this worke, was to confirm what our ancestors had done.

I see no reason why I might not conclude my discourse upon this Subject, *Mutatis Mutandis*, with as much Confidence as  
Sanders

Sanders did his visible Monarchy; *Quis-  
quis jurabit per Viventem in aeternum &c.*  
Whosoever shall sweare by him that liveth for  
ever, that the Church of England is not  
Schismaticall, in respect of any Branches  
of Papall power, which shee hath cast out  
at the Reformation, he shall not forswear  
himself. But Wagers and Oaths and Pro-  
testations, are commonly the Arguments of  
such as have got the wrong end of the staffe,  
I will shut up this long Discourse concer-  
ning Henry the eighths Reformation, with  
a short *Apostrophe* to my Countrymen of  
the Roman Communion in England.

They have been taught, that it is we who  
Apostate from the Faith of our Ancesters in  
this point of the Papacy, that it is we  
who renounce the Vniversall and perpetual  
Tradition of the Christian world. Whe-  
reas it is we who maintain ancient Aposto-  
licall Tradition against their upstart Inno-  
vations: whereas it is we who doe propug-  
ne the Cause of our Ancesters against the  
Court of Rome. If our Ancesters were  
Catholick in this Cause, we cannot be  
Schismaticall. Let them take heed least  
whilst they fly ont of a Panicall Feare from  
a supposed Schisme, they doe not plunge  
themselves over head and eares into reall  
Schisme, Let the choose, whether they will  
joine

(175)

joine with their Ancesters in this cause, or 15.  
with the Court of *Rome*, for with both *Ri. 2.*  
they cannot joine. If true English blood c. 4  
run in their veins, they cannot be long  
deliberating about that which their Ance-  
sters, even all the Orders of the King-  
dome, voted unanimously, *That they would*  
*stand by their King, and maintaine the rights of*  
*his Imperiall Crown, against the Vsurpations of*  
*the Roman Court.*

I have represented clearly to you the true  
Controversy, betwē the Church and King-  
dome of *England* and the Court of *Rome*,  
concerning Papall power, not as it is stated  
by private writers, but in our English  
Lawes, a glasse that cannot deceive us, for  
so farre as to let us see the right Difference.  
Let them quit these grosse Vsurpations;  
Why should they be more ashamed to re-  
store our Iust rights, then they were to  
plunder us of them? Let them distinguish  
between Iurisdiction purely Spirituall, and  
Iurisdiction in the exterior Court, which  
for the much greatest part of it is Politicall:  
between the power of the Sword, which be-  
longeth to the Civill Sovereign, and not to  
the Church further then he hath been gra-  
ciously pleased to communicate it: between  
that Obedience wick procedeth from feare  
of *wraith*, or from feare of *Gods Revenger* to  
executie

*execute wrath* (that is, the Sovereign Prince) and that Obedience which proceedeth  
 Ro. 13. meerly from *conscience*; And then there is hope we may come to understand one another better.

It is true, there are other Differences between us; but this is the main Difference, which giveth Denomination to the Parties, And when they come to presse those Differences, they may come to have such another account as they have now. The wider the hole groweth in the middle of the Millstone, Men see clearer through it. *Dies Diei eructat verbum & nox nocti indicat. Scieniam.* The latter day is the Schollar of the former.

Sect. I. Cap. X.

An  
 answer to Mr. Serjeant  
 Serjeant BY this time wee see that *Mr. Serjeants*  
 to Mr. great Dispatch will prove but a sleeve-  
 Serjeant lesse Errand, and that his *First Movership* in  
 concer- the Church, which he thought should have  
 ning im- born down all before it, is an unsignifi-  
 mediate cant expresseion, and altogether imperti-  
 traditio nent to the true Controversy between them  
 and his and us. Vnlesse as *Dido* did encompasse  
 two ru- the whole Circuit of *Cathage*, with a Bulls  
 les of V- hide by her art: so he within his *First*  
 nity. *Mo-*

*Moovership* can comprehend the Patronage of the English Church, and the right to Convocate and dissolve and confirm English Synods, and to invalidate old Oaths and to impose new Oaths of Allegiance, and to receive Tenths and first fruits, and all Legislative Judiciary and dispensative power, Coactively in the exterior Court of the Church, over English Subjects. He cannot plead any Charter from England, we never made any such Grant: and although we had, yet considering how infinitely prejudicial it is to the Publick Tranquility of the Kingdome, we might and ought more advisedly to retract what we unadvisedly once resolved. And for Prescription, he is so far to seek, that there is a cleare Prescription of eleven hundred Yeares against him. So there is nothing remaineth for him to stick to, but his empty pretense of divine Right, which is more ridiculous then all the rest; to claime a divine right of such a Sovereign power, which doth branch it self into so many particulars, after eleven hundred Yeares, which for so many Ages had never been acknowledged, never practised in the English Church either in whole or in part.

M

We

We cannot believe that the whole Christian world were Mole-eyed, or did sit in darknesse for so many Centuries of yeares; untill Pope *Hildebrand*, and Pope *Paschalis*, did start up like two new Lights with their Weapons in their hands, to thumpe Princes and knock them into a right Catholick belief.

And indeed this Answer to his pretended demonstration, by a reall demonstration where the true Controversie doth lye, and who are the true innovators, doth virtually answer whatsoever he hath said. So I might justly stop here and inspend my former paines, but that I have a great mind to try if I can find out one of those many Falsifications, and Contradictions, which he would make us believe he hath espied in my discourse, if it be not the deception of his sight.

Our  
faith not  
only  
probable.

First, he telleth us that *our best Champions doe grant, that our faith and its grounds are but probable.* Surely he did write this between sleeping and waking, when he could not well distinguish between necessary points of faith, and indifferent Opinions concerning points of faith: Or to use *Cajetans* expression, between *determinare de fideformaliter*, and *determinare de eo quod est fidei Materialiter*,



*terhaliter*, Between points of faith necessary to be believed, And such Questions as doe sometimes happen in things to be believed. As for Essentialls of faith, the Pillars of the Earth are not founded more firmly, then our beliefe upon that undoubted Rule of *Vincentius*, *Quicquid ubique semper & ab omnibus*, &c. Whatsoever we believe as an Article of our faith, we have for it the Testimony and Approbation of the whole Christian World of all Ages, and therein the Church of *Rome* it self. But they have no such perpetuall or Vniversall Tradition, for their twelve new Articles of Pope *Pius*. This Objection would have become me much better then him. Whatsoever we believe, they believe, and all the Christian World of all Places, and all Ages, doth now believe, and ever did believe; except condemned Hereticks: But they endeavour to obtayne new Essentialls of faith upon the Christian World, which have no such Perpetuall, no such Vniversall Tradition. He that accuseth another, should have an eye to himself.

*Does not all the World see, that the Church of England stands now otherwise in order to the Church of Rome, then it did in Henry the seventh's dayes? He addeth further, that it is confessed*

*that the Papall power in Ecclesiastical affaires,*  
*was cast out of Englād in Henry the eighths dayes,*  
 I answer that there was no Mutation concerning faith, nor concerning any Legacy which Christ left to his Church, nor concerning the power of the Keys, or any Iurisdiction purely Spirituall: but concerning coactive power in the exterior Court, concerning the Politicall or Externall Regimēt of the Church, concerning the Patronage or civill Sovereignty over the Church of *Englād*, and the Legislative, Iudiciary, and Dispensative power of the Pope in *Englād*, over English Subjects; Which was no more then a Reinfranchisement of ourselves, from the upstart Vsurpations of the Court of *Rome*. Of all which I have shewed him expressly the first source, who began them, when, and where; before which he is not able to give one instance, of any such Practises attempted by the Bishop of *Rome*, and admitted by the Church of England.

Who it is that *lookes askint or awry* upon the true case in Controversy between us, let the ingenuous Reader Iudge. I doe not deny, nor ever did deny, but that there was a reall separation made, yea made by us from their Vsurpations; but I both did deny and doe deny, that there was any Separatiō  
 made

made by us *from the Institution of Christ, or from the Principles of Christian Unity.* This Separation was made long since by themselves, when they first introduced those novelties into the Church: and this Separation of theirs, from the pure Primitive Doctrine and Discipline of the Church, doth acquit us, and render them guilty of the Schisme before God and man.

And therefore it is a vain and impertinent Allegation of him to tell us, that *Governours may lawfully declare themselves publicly and solemnly, against the renouncers of their Authority, by Excommunication; unless he could shew that the Bishop of Rome, hath such an absolute Sovereignty over us as he imagineth, extending it self to all those Acts which are in Controversy between us; And that in the exercise of the power of the Keys, they proceeded duely in a legall manner; And especially that they did not mistake their own Vsurpation for the Institution of Christ, as we affirm and know they did.*

His whole Discourse about immediate Tradition, is a bundle of uncertain presumptions and vain Suppositions. First he supposeth that his *Rule of so vast a multitude of Eye-witnesses of Visible things,* is uniform and yniversall; but he is quite

mistaken, the practise was different. The *Papalins* made Lawes for their Vsurpations, and the three Orders of the Kingdome of *England* made Lawes against them. To whom in Probability should our Ancestors adhere, to their owne Patriots, or to Strangers?

Secondly he presumeth, that this uniform practise of his Ancestors was invariable, without any shadow of Change, but it was nothing lesse. First Investitures were in the Crown, and an Oath of Fidelity made to the King without any Scruple, even by *Lanfranke* and *Anselm* both Strangers; Afterwards the Investitures were decried as profane, and the Oath of Fidelity forbidden. Next a new Oath of Allegiance was devised of Clergimen to the Pope; First onely for Archbishops, then for all Prelates; And this Oath at first was moderate, *to observe the Rules of the holy Fathers*, but shortly after more Tyrannous, *to maintain the Roialties of Saint Peter*, as their own Pontificalls the old and the new do witnesse. First when they tooke away Investitures from the Crown, they were all for *free Elections*, but shortly after there was nothing to be heard of but *Provisions*, and such *Simoniacall Arts*. It is as easy to shape a  
Coat

Coat for the Moone, which altereth every day, as to fit one constant Tradition to all these diversified Practises.

Thirdly he supposeth, that all Parents have Iudgement to understand aright what they see, and to penetrate into the secret Caballs and Practises of their times, And Ingenuity void of self Interest, to relate it rightly to their posterity: But herein also he will fall much short of his aime. Most Parents know what is acted publickly: but they know little what is done in the retiring Roome. They know who is their Bishop: But who invested him, what Oathes he hath made, they are to seeke. Most Parents see a Bishop sit in his Consistory: But by what authority he sits, whether meerly by the power of the Keys, or partly by Concession of the Sovereign Prince, they know nothing. What doe thy understand of any distinction between Iurisdiction Spirituall and Ecclesiasticall and Politicall? What Legends of Fopperies have been brought into the Church, by this Orall Tradition and the Credulity of Parents? And if all Parents had Iudgement to understand these things: Yet who shall secure us that they are void of Self interest? The Philosopher found that all the people  
for

forsooke him , so soone as the market Bell began to ring.

Lastly , he supposeth one constant succession of Truth, upon this *Tenour* or *Method* throughout many Ages. Why doe wee heare words , when we see deeds ? We see them change dayly ; if they had not changed we had had no need to leave their Cōpany. I have shewed him whē and where and by whom , all these changes wherein they and wee differ concerning discipline , did come into the Church of Englād, at least all those which made the Breach between us. Immediate Orall Tradition , without any further Corroboration , is but a toy : Perpetuall and Vniversall Tradition is an undeniable Evidence ; or so Vniversall for time and place , That the Opposers have been censured in a manner Vniversally for Hereticks or Heterodox. In a chaine, if one linke be loose , or have a notorious Crack or Flaw , there is little trust to be reposed in it. Then what Credit is to be given to the pretended Chaine of Tradition , where the eleven first Linkes are altogether divided from the rest , and fastened to the hand of the Sovereign Prince, beyond the Popes reach ? The four next Linkes are full of Cracks and Flawes, the Pope pulling at the one end, and the Prince holding at the other. The last Linke

Linke of all, in *England* is put again into the hand of the Prince. Where so many Centuries are wanting, he is like but to maintain a poor Tradition. All this while I speake onely of the externall Regiment of the Church.

But it is a wonder to me, why he of all others should so much magnify this *Mediū* of Immediate Tradition, as an infallible Rule: For if I be not misinformed by some Friēds, his Fathers chalked out another way to him by their Examples and Instructions, to hold himself in the Communion of the Church of *England*. But let that passe as not much materiall. If he reduce his Argument into any Form, he will quickly find that it halteth on both sides, *Whatsoever we received by immediate Tradition from our Fathers, as the Legacy of Christ, is infallibly true; But we received those points of discipline wherein we differ, by immediate Tradition from our Fathers, as the Legacies of Christ.* I deny both his Propositions, my reasons he will find formerly at large.

I charged him for making two distinct Rules of Vnity, whereas one would have served his Turne; that he might have more opportunity to shuffle the later Vsurpations of the Popes, into the ancient discipline of the Church. For this I am lashed, as a man that cannot or will not write common sense, with a deale of such poore stuffe not worth



worth repeating. Cannot a man abandon his Religion unlesse he abandon his Civility also? He might remember that I had the honour to be a Doctor in the Vniversity, I think as soone as he was a Schooleboy in the Country. The first part of my Charge

*S. D.* is confessed by him self, that *his first Principle*  
*pa. 308* doth also include the truth of the second. If his

second Principle be comprehended in the first, then it is no new distinct Principle, but either an inference, or a Tautologie. But let him carve and mince his Principles into shreds if he please, rather then I will draw the Saw of Contention about the dream of a Shadow. To the second part

*S. D.* of my Charge he answereth, that *Neither*  
*pa. 484* *I, nor any man else can instance of any Vsurpation*

*which did ever come in, either in Secular or Ecclesiasticall Government, pretending that Tenour, or could come in so long as men adhered to that Method.* Doth not he pretend to that Tenour? Or indeed taketh it for granted, and would make us believe they doe adhere to that Method? If they doe not, his demonstration doth not weigh a Graine. Yet I have shewed him heaps of usurpations, more perhaps then he is desirous to see. Some men have made the Pope infallible, in point of faith formerly; but he is the first that ever made him incapable of usurping,  
 and

and I thinke will be the last ; if he can perswade us with reason to be thus mad , he deserveth to have his head stroked. Go, Go *Mr. Serjeant*, Learn better, there are more wayes of erring in point of Tradition, either reall or supposed , then *the Conspiracy of a S. D. World of Fathers, to sell a World of Children pa. 484 this Lye, that ten yeares agoe they practised that which all the World besides knoweth they did not practise.* Of all men Juglers pretend most to perspicuous Evidence.

I was contented to admit both his Rules in Generall, to try what use he could make of them against us : but whether I use sharpnesse or blandishments , he is still waspish ; *See Reader the right Protestant Method, which S. D. is to bring the Controversy from a Determinate pa. 485 State to Indetermination and Confusion ;* I feare he will rather dislike my being too distinct and particular. I have shewed him expressly what Branches of Papall power we have altogether rejected , and what we are not unwilling to acknowledge , for peace sake , if that would content him ; which is more then he hath done hitherto , as much as he will doe , and I feare more then he dare doe ; They are not free from their Jealousies and Dissensions at home among themselves. Hitherto he hath not adventured to let us know , into what Church he himself

self resolveth his Faith; whether the Vir-  
tuall Church, that is the Pope; or the Repre-  
sentative Church, that is a Generall Coun-  
cell; or the essentiall Church, that is the  
whole multitude of Believers, whose Ap-  
probation is their reception. And in this  
very Pāragraph, he hath one passage that

*S. D.* pointeth at the last opinion, making the con-  
*p. 486.* sent of Catholick Faibers, immediately aneesting  
that they received this Doctrin from their fore  
fathers, to be the infallible voice of the Church.

*S. D.* At other times he maketh the extent of  
Papall power to be a matter of Indifferency,  
wherein every Church is free to hold their  
own Opinions. In his Rule of Discipline,  
he maketh St. Peter onely to be the Head, the  
Chiefe, the Prince of the Apostles, the First  
mover in the Church; all which in a right sense  
we approve, or do not oppose. Why  
doth he not acknowledge him to be a visible  
Monarch, an absolute Sovereign, invested  
with a plenitude of power, Sovereign, Le-  
gislative, Iudiciary, Dispensative? All the  
rest of the Apostles were First Movers in the  
Church, even as well as St. Peter (except  
onely his Primacy of order which we allow.)  
When your men come to answer this, they  
feign the Apostles were all equall in relatiō  
to Christiā people, but not in relatiō to one  
another.

another. Yes, even in Relation to themselves and one another; as hath beē expressly declared long since, in the First Generall Councell of Ephesus, not now to be contradicted by them; *Peirus & Ioannes aequalis sunt ad alterutrum dignitatis*, Peter and Iohn were of equall Dignity one towards another. A Primacy of Order may consist with an Equality of Dignity: but a Supremacy of power taketh away all Parity; *Par in parem non habet potestatem*. He is blind who doth not see in the History of the Acts of the Apostles, that the supremacy or Sovereignty of power, did not rest in the person of any one single Apostle, but in the Apostolicall College.

These indefinite Generalities he stileth *Determinate points*. It may be *Determinate* for the generall truth: but *Indeterminate* for the particular manner, about which all the Controversy is. Yet he who never wanteth Demonstrative Arguments to prove what he listeth, will make it evident out of the very word *Reformation*, which we own and extoll, that we have broken the Rule of Unity in Discipline. If he doe he hath good luck, for by the same reason he may prove that all the Councells of the Christian world, both Generall and Provinciall, have broken the Bond of Unity, by owning and extolling the very word *Reformation*, both name and thing.

As

As for the points of our Reformation, I doe not referre him to *Platonickall Ideas*, to be found in the *Concave of the Moone*; but to our Lawes and Statutes, made by all the Orders of our Kingdome, Church and Commonwealth; not as they are wrested by the tongnes and pens of our Adversaries, (Malice may be a good informer but a bad judge,) but as they are expounded by the Genuine and Orthodox Sons of the English Church; by our Princes, by our Synods, by our subsequent Parliaments, by our Theologians, by our most Iudicious Lawiers; in their Injunctions, in their Acts, in their Canons, in their writings; which he may meeete with if he have such a mind in earnest, without any great search, in every Library or Stationers shop,

The  
creed  
is the  
old rule  
of faith.

*Sect I. Cap. XI.*

We doe not suffer any man to reject the *Our Ar* 39. Articles of the Church of England at his pleasure, yet neither doe we looke upon points of them as *Essentials* of saving Faith, or *Legacies of Christ and of his Apostles*; but in a *whofals* ane, as pious Opinions fitted for the *Preserv* the servation of Vnity, neither doe we oblige *Councel* any man to believe them, but onely not to *of Ephe-*  
*sus.*

con-

contradiet them. Yet neither is the Bishop  
 got into a wood, nor leaveth his Reader in another,  
 further from knowing what these Doctrines of  
 saving Faith are, then he was at first. It is Mr.  
 Serjeants Eyesight that failes him, through  
 too much light, which maketh him mista-  
 ke his ancient Creed for a wood, and the  
 Articles for trees (persons who are gogle  
 eied seldome see well, ) wherein all things  
 necessary to be believed are comprehended.  
 And althoughe he inquire, *Where are the pro* S. D.  
*cessions of the Divine Persons, the Sacra-* pa. 487  
*ments, Baptism of Children, the Government*  
*of the Church, the acknowledging there is such a*  
*thing as Scripture, to be found in the creed?*  
 The Bishop is so far from being gravelled  
 with such doughty Questions, that he pitieth  
 his simplicity, and returneth him for answer,  
 that if he be not mop-eyed he may find the  
 Procession of the Divine Persons in his  
 Creed; that the Sacraments and Discipline  
 of the Church are not to be reckoned among  
 the *Credenda* or things to be believed, but  
 among the *Agenda* or things to be acted;  
 and the Holy Scripture is not a particular  
 Doctrin or point of Faith, but the Rule  
 wherein and whereby, all Fundamentall  
 Doctrins or points of Faith are compre-  
 hended and tried. So still his truth remaineth

neth unshaken, that the Creed is a Summary of all particular points of saving faith, which are necessary to be believed.

S. D. He proceedeth, that *the Protestants have*  
*pa.487 introduced into the Church since the Reformation*  
*no particular Form of Government, in stead of*  
*that they renounced.* A grievous accusation!  
 We had no need to introduce new formes,  
 having preserved the old. They who do  
 onely weed a Garden, have no need to set  
 new Plants. We have the Primitive Disci-  
 pline of the Church, and neither want Spi-  
 rituall, nor Ecclesiasticall, nor Politicall  
 Government. If you have any thing to say  
 against it, cough out and spare not. And  
 although we want such a free and generall  
 Communion with the Christian World as  
 we could wish, and such as Bishops had  
 one with another by their *formed Letters*:  
 Yet we have it in our desires; and that we  
 have it not actually, it is principally your  
 faults, who make your Vsurpations to be  
 Conditions of your Communion.

And so I leave him declaiming against  
*Libraries of Bookes filled with dead words, and*  
*thousands of Volumes scarcely to be examined*  
*in a mans whole life time, and quibbling about*  
*Forefathers, and inheriting, and Reformation,*  
*and Manasseh Ben Israel, and repeating*  
 the



the same things over and over again, as if no man did understand him who did not heare him say over the same things an hundred times.

He Chargeth me that having granted that *They and we do both maintain his Rule of Vnity*, yet I do immediately disgrace it by adding, *that the Question is only who have changed that Doctrin or this Discipline, we or they? We by subtraction or they by Addition? Which is as much as to say the pretended Rule is no Rule at all.* When he and his Merry Stationer were set upon the Pin of making Contradictions, doubtlesse this was dubbed a famous Contradiction or an absurdity at least. As if a man might not hold one thing in his Iudgement, and pursue another in his Practice, professe one thing in words, and perform another in deeds, *Video meliora proboque, Deteriora sequor; Medea* see that which was right and approved it, but swerved altogether from it in her Practise, *They professe* Tux. 18  
*(saith St. Paul) that they know God, but in workes they deny him.* The Church of Rome professeth in words, to adde nothing to the Legacies of Christ and his Apostles: but in their deeds they doe adde and adde notoriously; as the Vniversality of the Roman Church,  
N
the

the doct̃rins of Purgatory, of Indulgences, of Worshipping of Images, and the rest of their new Essentialls of faith, *Extra quas nemo saluus esse potest* (saith Pope Pius,) *Without the beliefe of which no man can be saved.* Then no man was saved for a thousand yeares after Christ. If there be the least Print of a Contradiction here, it is not in my discourse, but between their own Principles and their Practice. He taunteth me sufficiently for making the Apostles Creed, a summary of all things necessary to be believed by all Christians, calling it *the wildest Topick that ever came from a ratiōall head*, and would gladly perswade us that it was onely an Act of Prudence, to keep out heterogeneous persons in that present age, which was to be enlarged as often as new Heresies did arise. I pittie the young man, who is no better acquainted with that Value, which both the ancient Fathers and his own Doctors set upon the Creed. Whilest he thin-

*Tert. de* keth to confute me, he is ignorantly condemn-  
*virgin.* ning all them. He condemneth the Fathers,  
*cap. i.* who made it to be *the one onely immovea-*  
*Clem.* *ble and irreformable Rule of Faith:* The  
*Rom.* *summe of the whole Catholick Faith: The Key*  
*Ep. i.* *of the Christian Faith: The Rule or Square*  
*ad frat.* *of the Apostolicall (Sermons after the Com-*  
*Dom.* *position of it.) Wherein the Apostles*  
of

of the Lord have collected into one bre- Amb.  
viary, all the points of the Catholick Faith Serm.  
which are diffused throughout the Scriptures. He 38.  
condemneth his own Authors, who ac- Aust.  
knowledge it to be a short comprehension or Serm.  
summary of all things to be believed. Bellar- 18.  
mine faith it containeth the summe of the Gospell: de Temp.  
And more plainly, there is extant that most an- Canis.  
cient Symbol which is called the Creed of the Ca:ech.  
Apostles, because the Apostles composed it to this Bellar.  
end, that it might be agreed among all men what de Inst.  
was the summe of the whole Christian Faith. l. 4. cap  
Whereof he produceth Witnesses, St. Am- 2.  
brose, St. Hierom, St. Austin, Maximus; De  
Adding that in the Creed (alibough briefly) is Inst. l.  
comained in a Summary the whole object of 1. cap.  
Faith. According to that of St. Austin, 9.  
the Creed is a simple, short, full Comprehension Aust. in  
of our Faith: that the simplicity may provide for bid.  
the Rudenesse of the Hearers; the shorinesse for Aust.  
their memory; and the fulnesse for their Doc- de Sac.  
trine. And elsewhere he telleth us, that all Euch.  
Catholicks doe confesse, that it is the unwritten lib. 3.  
word of God. So there is more in the Creed cap. 6.  
then a meer Shiboleth, to distinguish an Conc.  
Ephraimite from a Gileadite. It is funda- Trident.  
mentum firmum & unicum, not onely a firm Sef. 3.  
but an onely Foundation. He asketh me  
whether ever Protestant did hold, there is nothing  
of Faith but the 12 Articles in that Creed?

I doe not know how I come to be obliged to answer him to so many impertinent Questions: but for once I will not refuse him. Protestants doe know as well as himself, that there are many things of faith, which are necessary to be believed by some men at some times; as that St. Paul had a Cloak: but there is no Article or Point, absolutely necessary to Salvation to be believed, which is not comprehended within the 12 Articles of the Creed. And here, he serveth us up again his twice foddren Coleworts, that *the Procession of the Holy Ghost, the Baptism of Infants, the Sacraments, the Scriptures, are not comprehended in the 12. Articles.* I have but newly answered the very same Objection, and here Meander-like with a suddain turning he brings it in again: but I will not wrong the Reader so much, as to follow him in his Battologies. Onely if he think the Creed was imperfect, untill the word *Filioque* was added, he is much mistaken.

But saith he, *by the same Logick we may accuse the Church, at the time of the Nicene Councell, for pressing the word Consubstantiall.* Pardon us good Sr, there is no Analogy between the Consubstantiality of the Sonne with the Father, and your upstart Doctrins  
of

of Indulgences and Image Worship. Indeed the word Consubstantiall, was not in the Creed before the *Nicene Councell*, but the thing was, and was deduced from the Creed. When the Apostles delivered the Creed to the Church, they did it by Orall Tradition: and this is that famous Tradition much mentioned in the Fathers, which you doe altogether misapply to the justifying of your new patches. And when they delivered the Creed they delivered likewise the sense of the Creed, by the same Tradition: and it was the most proper worke in the world, for those first Oecumenicall Councils, to search out and Determine by Tradition, the right sense of the Articles where in they were delivered by the Apostles. But for us now after fifteen or sixteen hundred yeares to inquire, not onely into new senses of the old Articles, altogether unknown to the Ancients: but to find out new Articles, which have no relation to the old Articles, and all this by Tradition, is ridiculous. For whatsoever Tradition we have, we have from former Ages successively: and therefore if they had no Tradition for such an Article, or such a sense; wee can have none,

But

But such are all the twelve new Articles, added to the Creed by *Pius* the fourth; not onely new senses of old Articles, which had been too much, but new Articles newly coined, which have no relation to the old Articles at all. Somethings are *de Symbolo*, contained in the Creed; somethings are *contra Symbolum*, against the Creed; and somethings *præter Symbolum*, besides the Creed. First, for those things which are contained in the Creed, either in the Letter or in the sense, or may be deduced by good consequence from the Creed; as the Deity of Christ, his two Natures, the procession of the Holy Ghost: the Addition of these is properly no addition, but onely an Explication; Yet such an Explication, none under a Generall Councell can impose upon the Church. Secondly, such things, as are contrary to the Creed, are not onely unlawfull to be added to the Creed, but they are Hereticall in themselves. Thirdly, for those things which are neither of the Creed, nor contained in the Creed, either explicitly, nor can be deduced by good Consequence from the Creed, and yet they are not contrary to the Creed, but Opinions or inferiour truths, which may be believed or disbelieved, without any great

great danger of Heresy ( of this nature are chose 12. points or Articles which *Pius* the fourth added to the Creed : To make these part of the Creed , and to oblige all Christians to believe them under pain of Damnation , as *Pius* the 4<sup>th</sup> doth, *without which there is no Salvation* ; is to change the Symbolicall Apostolicall Faith , and to adde to the *Legacy of Christ and his Apostles*. Faith doth consist *in indivisibili*, and the Essentiall parts of it , cannot be contracted or enlarged.

This is that which we Charge the Romanists withall , and which I see not how they will be able to shake of. Not the Explication of the old Articles of Faith , nor the prescribing of inferiour truths as inferiour truths to those who are under their Jurisdiction, nor the obliging of their Subjects not to oppose their Determinations for peace and tranquillities sake; but the adding of new Articles or Essentialls to the Creed , with the same Obligation that the old Apostolicall Articles had, to be believed under pain of Damnation. Either all these 12 new Articles which were added to the Creed by *Pius* the Fourth, were implicitly or virtually comprehended in the 12 old Articles of the Apostles, and may be de-



duced from them by necessary Consequence, (the contrary where of is evident to all men) : or it is apparen that Pius the 4. hath corrupted the Creed, and changed the Apostolicall Faith.

He might even as well let our 39. Articles alone for old acquaintance sake, (*Dis-suenda non diffecanda est amicitia*) as to bring them upon the Stage, and have nothing to say against them. Some of them are the very same that are contained in the Creed: some others of them are practicall truths, which come not within the proper list of points or Articles to be believed : lastly, some of them are pious opinions or inferiour truths, which are proposed by the Church of England to all her Sonnes, as not to be opposed ; not as Essentials of Faith necessary to be believed by all Christians *Necessarii medi*, under pain of damnation. If he could charge us with this as we do them, he said something. The *Nicene, Constantinopolitan, Ephesian, Chalcedonian, and Athanasian* Creeds, are but Explications of the Creed of the Apostles, and are still called the Apostles Creed. He will not for shame say that *Pius* the fourths Creed, is onely an Ex  
tha

plication of the Apostles Creed, which hath  
12. new distinct Articles, added at the  
Foot of the 12. old Articles of the Apo-  
stles.

I doe not say that *there can be no new He-  
resy, but what is against some point found in the  
Creed.* I know, that as there are some Er-  
rours heretical in their own nature, so there  
are other Errours which become here-  
ticall, meerly by the Obstinacy of them  
who hold them. Yet if I had said so, I had  
said no more then some Fathers say, and  
sundry of their own Authors; *Neq; ulla  
unquam exiit heresis que non hoc Symbolo dam-  
nari p[ot]uerit:* There was never any Heresy which  
might not be condemned by this Creed. And so  
he may see clearly if he will, that it was no  
incomparable straine of weaknesse, nor self con-  
tradicting absurdity, nor nonsense, (as  
he is pleased to Vapour) to charge them  
with changing the Legacy of Christ and  
his Apostles, by the Addition of new Essen-  
tials of Faith.

Catech.  
Trever.

I will conclude this point with the excellent  
Iudgement of *Vincentius Lirinensis*; Perad-  
venture some man will say shall there be no  
growth of the Religion of Christ in the Church?  
Yes, very much; but so that it be a  
growth

growth of Faith not a change. Let it increase; but onely in the same kind, the same Articles, the same sense, the same Sentences. Let the Religion of soules imitate the manner of bodies &c. The members of infants are liule, young mens great, yet they are the same, Children have as many joints as men &c. But if any thing be added to, or taken from the number of the members, the body must of necessity perish, or become monstrous, or be enfeebled: so it is meet that Christian Religion doe follow these Lawes of Proficiency &c.

pag.  
495.

But now he brings a rapping Accusation against me, charging me with four falsifications in one sentence: and then concludes triumphantly, *Goe thy wayes brave Bishop, If the next Synod of Protestants, doe not Canonise thee for an Interpreter of Councells, they are false to their best interests. Who so bold as blind Bayard? Here is a great deale more Cry then Wooll. But let us examin these great falsifications, my words were these. The Question is onely who have changed that doctrin or this Disciplin, we or they? we by Substraction, or they by Addition? The Case is cleare, The Apostles contracted this Doctrin into a Summary, that is the Creed, the Primitive Fathers expounded it where it did stand in need of clearer Explication, Then follow the words which he excepteth against,*  
The

*The Generall Councell of Ephesus did forbid all men to exact any more of a Christian at his Baptismall Profession. It is strange indeed to find four falsifications in two short lines : but to find four falsifications where there is not one sillable cited , is altogether impossible. I relate as of my self what the Councell of Ephesus did ; I cite no Authority at all , neither in the Text nor in the Margent ; nor put one word into a different Character. His pen is so accustomed to overreach beyond all aime, that he cannot help it ; A Scotch man would take the Liberty to tell him that he is very good Company.*

*The truth is , I did forbear to cite it, because I had cited it formerly in my answer to Monsieur Milnier, where he might have found it if he had pleased ; That it should be lawfull for no man to publish or compose, another Faith (or Creed) then that which was defined by the Nicene Councell , And that who so ever should dare to compose, or offer any such to any persons willing to be converted from Paganisme, Iudaisme , or Heresy, if they should be Bishops or Clerkes should be deposed, if Laymen Anathematised. If he can find any Falsification in this , let him not spare it : but to find four falsifications , where not one*

*Eph. pa. 2. Act. 6, c. 7.*

one word was cited, was impossible. In a word, to deale plainly with him, his four pretended Falsifications are a silly senselesse ridiculous Cavill.

To cleare this, it is necessary to consider that this word Faith in holy Scripture Councells and Fathers, is taken ordinarily for the Object of Faith, or for the summe of things to be believed, that is, the Creed: and so it is taken in this very place of the Councell of *Ephesus*, and cannot be taken otherwise; for it is undeniable, that that Faith which was defined, published, and composed by the *Nicene* Fathers, was the *Nicene* Creed, or the Creed of the Apostles explicated by the *Nicene* Fathers. Secondly, we must consider that the Catholick Church of Christ, from the very Infancy of Christian Religion, did never admit any person to Baptisme in an ordinary way, but it required of them a free profession of the Creed or Symbolicall Faith, either by themselves, or by their sureties if they were Infants: and so did baptise them *in that Faith*. This was the practise of the Apostolicall Church; this was that

1. *Timo* good profession which *Timothy* made before  
6. 12. many witnesses; This was the universall  
practise in the Primitive Church, and con-

tinued

tinued ever since untill this day. *Abrenun-*  
*cias? Abrenuncio. Credis? Credo.* Dost thou  
 renounce the Devill and all his workes? I do re-  
 nounce them. Dost thou believe in God the Fa-  
 ther Almighty &c.? *All this I stedfastly be-*  
*lieve.* Wilt thou be baptised in this Faith? *It*  
*is my desire.* This baptistickall profession,  
 which he ignorantly laugheth at, is attested  
 by Fathers, by Councells, by Leiturgies,  
 ancient and modern; even by the Leitur-  
 gies of the Roman Church it self. And  
 this is the undoubted sense of this place of  
 the Councell of *Ephesus*, that no man should  
 dare to offer any other Creed, to any person,  
 willing to be converted from *Paganisme* or *Iu-*  
*daisme* to Christianity, that is to say to be  
 baptised. Alwaies upon Palm Sunday,  
 such of the *Catechumen*, as were thought  
 fit to be admitted into the number of the  
 Faithfull, did petition for Baptism (the An-  
 niversary time where of did then approach  
 who from their joint petitioning were  
 called *competentes*, and from that day for-  
 ward, had some assigned to expound the  
 Creed unto them, whereof they were to  
 make solemn profession at their Baptism; as  
 we find by the Homilies of the Fathers  
 upon the Creed, made to the *Compe-*  
*tenes*.

So

So we keep ourselves to the old faith of the whole Christian World, that is the Creed of the Apostles, explicated by the *Nicene, Constantinopolitan, Ephesine, and Chalcedonian* Fathers; the same which was professed by them of old at their Baptisme, and is still professed by us at our Baptisme; the same wherein all the Christian World, and themselves among the rest were Baptised. None of us all ever made any profession at our Baptismes, of the Universality of the Roman Church, or of the Sovereign Monarchicall power of the Roman Bishop by divine right, or of the Doctrin of *Transubstantiation*, Indulgences, Imageworship, or the like. Wherefore we are resolved to adhere to that faith which hath been professed alwaies, everywhere, and by all Persons, and particularly both by them and us at our Baptisms; in which faith and which alone, we were made Christians, without either diminution or Addition of any new Essentials. This was their faith formerly, and this is ours still. But he objecteth it is a great Absurdity, pa. 495 that thus the Creed defined by the Fathers in the Councell of *Nice*, and the *Apostles Creed*, according to the Bishop are one and the same Creed. Have you found out that? Yes, indeed



deed are they, and alwayes have been so reputed in the Church, even in the Roman Church it self in their ancient Leiturgies, which call the Nicene Creed the *Evangelicall Creed, the Creed of the Apostles, inspired by the Lord, instituted by the Apostles*; and when he groweth older, he will be of the same mind.

I hope by this time he seeth that although I did not cite the Councell of *Ephesus* in this place, and therefore could be no falsifier of it; Yet the Councell of *Ephesus* saith more then I did in every respect. I said onely the Councell did forbid: but the Councell it self goeth higher, that *whosoever should dare*. I said forbid to exact: but the Councell itself goeth higher, *whosoever should dare to compose, or publish, or offer*. The Originall word is *Prospherein*, to offer, and as it is translated into Latin, *Qui verò ausi fuerint aut componere fidem alteram, aut proferre, aut offerre. Whosoever shall dare to compose, or to utter, or to offer another faith or Creed*. One may compose or publish and not offer; one may offer and not exact: but whosoever doth exact doth more then offer. If the Councell doth forbid any man to compose or publish, or offer any other Creed, much more doth it forbid them

them to exact it. Thirdly I said *to exact any more* then the Apostles Creed, as it was explicated by the Fathers, that is, concerning Essentialls of faith: but the Councell goeth higher, to compose or publish or offer *alteram fidem, another Creed*, containing either more or lesse, either new Essentialls or new Explications. I said onely *at our Baptismall profession*: but the Councell extendeth it further, to the reconciliation of Hereticks, as well as the Baptism of Pagans and Jewes; and generally to all occasions, not allowing any man Clergy or Lay, to compose or publish any other Creed or form of profession. So every way the Councell saith more then I said.

But he saith, there is nothing in the Councell of *Baptismall profession*, except the bare word *fidem*. Well, *fides* in that place signifieth the Creed; and that Creed which all Christians did professe at their Baptisme, is their Baptismall Profession. But that is not all, for as *fides* signifies their Creed or Profession of faith: so those other words, *to any Persons willing to be converted from Paganisme or Iudaisme*, signifieth as much as who desire to be Christened or to be Baptised. But he saith, these words *if the proposers of another faith be Lay men, let them be ex-*  
com-

communicated, do make it impossible to have relation to Baptism, because the Ordinary Minister of Baptisme is a Clergy man. If a Sophister should have brought such an Argument in the Schooles, he would have been hissed out for his labour. Because one part of the Canon hath reference to Lay men, therefore no part of it can have reference to Clergy men. Just like this, an Aethiopians teeth are white, therefore it is impossible that any part of him should be black. Whereas the Canō saith expressly the Contrary, if they be Bishops or Clerkes let them be deposed, if Laymē Anathematized.

But this great Censurer himself doth falsify the Councell of *Ephesus* indeed, twice in this one place. Once in omitting the word *Prospherein*, to offer. Secondly where he saith, that *Charisius* had made a wicked Creed. It was not a wicked Creed, but a wicked exposition of the Creed which the Councell condemned, *Depravata Symboli Expositio*; Which was indeed produced by *Charisius*, but neither made by him, nor approved by him, but condemned by him as well as by the Councell. Observe Reader, with what grosse Carelesnesse these great Censurers doe read Authors, and utter their fictitious Fancies with as great Confidence. He would have called this Forgery in another.

## Sect. I. Cap. XII.

He saith I charged their whole Church, with changing the ancient discipline of the Church, into a Sovereignty of power above Generall Councells, whereas I confesse that it is not their Vniversall Tenet, and will acknowledge that they who give such Exorbitant Privileges to Popes, do it with so many Cautions, that they signify nothing; And then curteously askes me, whether this be a matter deserving that Church Vnity should be broken for it? I doe easily believe that this is one of his merry Stationers Contradictions. What pittifull Cavills doth he bring for just exceptions? First I doe not clap it upon their whole Church (that Church but the Pope and his party is one injury, or if I should speake in his language a grosse Falsification) but upon the guilty party. Secondly, I never said that they who change the ancient Government of the Church, into a Sovereignty of power, do it with so many Cautions: but I spake expressly of them, who ascribe infallibility and temporall power over Princes to the Pope; This is another injury or falsification. Thirdly, how often must I tell him, that we did not disunite our selves from their Church: but onely reinfranchise ourselves from

from their Vsurpations? Lastly, this party which advanceth the Papacy, above the Representative Church, is no worse then their Virtuall Church, the Pope and the Court of *Rome* with all their adherents, they who have the Keys in their hands: such a party as he dare not say his soule is his own against them, nor maintain the Contrary; that a Generall Councell is above the Pope.

He urgeth, that I ascribe no more to *S. Peter and the Pope for their first Movership*, *pag. 496.*  
*but onely Authority to sit first in Councell or some such things.* I ascribe unto the Pope, all that *First mover.*  
 power which is due unto him either by di-  
 vine right or humane right, at the ludge-  
 ment of the Church, but I doe not hold it  
 meet, that he should be his own Carver.  
 And for *S. Peter*, why doth he not leave  
 his wording of it in Generalls and fall to  
 work with Arguments in particular, if he  
 have any? We offer him a faire tryall for it,  
 that *S. Peter* never enjoyed or exercised  
 any greater or higher power in the church,  
 then every one of the Apostles had, either  
 extensively or intensively, either in rela-  
 tion to the Christian world or the Apo-  
 stolicall College, except onely that *Primor-*  
*dium Vnitatis* or Primacy of Order, which

he scoffeth at every where : Yet neither do we make his first Movership, *void of all Activity and influence*, as he accuseth us. First we know he had Apostolicall power, which was the highest spirituall power upon Earth, *As my Father sent me so send I you*. Secondly, some power doth belong to a First Mover even by the Law of nature, besides *the First seate*; As to convocate the Members, to preserve Order, to propose such things as are to be discussed, to receive the Votes, to give the Sentence, and to see it executed so far as he is trusted by the Body. What the Church of *England* believeth, of the Popes inheriting *St. Peters Privileges*; and the exercise of that power before the Reformation, and how the breach was made, and when, I have shewed abundantly already.

Wee have seen his rare skill, in the discovery of a Falsification or a Contradiction, now let us see if his sent be as good to find out an Absurdity. He maketh me argue thus, *The Pope did not exercise St. Peters power, because he exercised St. Peters power and much more, which is as much as to say, totum est minus parte; and more does not contain lesse*: and then he Crowes out his Victory aloud; *a hopefull Disputant, who chuseth rather*

to run upon such Rocks &c. What Rocks doth he mean? I hope none of the *Acroceraunia*. those ridiculous things which he calls *Rocks*, are soapy bubbles of his own Blowing. This inference is none of mine, but his own. Is it not possible for this great pretender to sincerity, to misse one Paragraph without Falsifications? Give him leave to make Inferences and Periphrases [*which is as much as to say*] and Africa did never abound so much with Monsters, as he will make the most rationall writing in this world abound with Absurdities. I desire the Courteous Reader to view the place, and either to pity his Ignorance, or detest his Impudence. The words which I answered were these, That the Bishops of Rome actually exercised St. Peters power in all those Countries, which kept Communion with the Church of Rome, that very yeare when this unhappy Seperation began. My answer was, that this Assertion did come far short of the truth in one respect, for the Popes exercised much more Power in those Countries which gave them leave, then ever St Peter pretended to. Here is no other inference but this, The Pope exercised more power then ever St. Peter pretended to, therefore this Assertion that he exercised St. Peters power came short of the truth;



which consequence is so evident that it can admit neither denyall or doubting. What hath this to do with his *whole is lesse then the part, or more does not contain the lesse?*

*Hal f  
more  
then the  
whole.*

But now suppose I had said, as he maketh me to say on his own head, that in this case *the whole is lesse then the part, or more does not contain the lesse*, what had he to carpe at? Hath he never heard or read, that in morality the half is more then the whole? Hath he forgotten his Ethicks, that he who swerveth from the Meane or strict measure of virtue, whether it be in the excessse or in the defect, is alike Culpable, and commeth short of his Duty? If the Pope as Successour to *S. Peter*, did usurp more power then *S. Peter* had right to; no man in his right wits, can call it the actuall exercising of *S. Peters* power.

*Papall  
usurpa-  
tions not  
univer-  
sall.*

The second part of my answer was, that as the Pope exercised more power then was due to him, in some places, where he could get leave: so in other places, no lesse then three parts of foure of the Christian World, that is all the Eastern, Southern, and Northern Churches, his Vniversall Monarchy which he claimed, was Vniversally rejected, For this I am first reviled.

*Are*

*Are moderate expressions of shamelesnesse sufficient to Character this man? &c.* If better was within better would come out. But *Stultis thesaurus iste est in lingua situs, ut discant male loqui melioribus.* And then when he hath first censured me, he attempteth to answer me, as well as he is able, that *the Pope exercised his power over them, by excommunicating them as Revolters.* As Revolters? In good times; They were Christians and had Governours of their own, before either there was a Church of *Rome*, or Bishop of *Rome*, and never acknowledged themselves to be his Subjects untill this day, nor regarded his Excommunications upon that score at all. If they were Revolters, the Apostolicall Age and all succeeding Ages were joined in the Revolt. These are his *rigorous demonstrations*, to prove the Popes single Jurisdiction by divine right, from his own impotent Actions. If the Pope have a Supremacy of Power by divine right, he hath it over the world, but that we see evidently he never enjoyed from the beginning: if he did not enjoy it universally from the beginning, then certainly it cannot be an Apostolicall Tradition.

I doe begin with the Eastern Church, because their case is plainest, as having  
Pro.

Proto-patriarchs of their own, and Apostolicall Churches of their own: but when that is once acknowledged, I shall be contented to *joine issue* with him in the West, First for our Britannick Churches, and next even for the Church of *Rome* it self; that the Popes Vniversall Monarchy, and plenitude of Sovereign power by divine right, was neither delivered from Parents to Children by perpetuall Tradition, as a Legacy of Christ and his Apostles, nor received by the Sonnes of that Individuall Church as a matter of Faith; but onely a Primacy of Order or beginning of Vnity, which we do not oppose, nor yet those accessions of humane power, which Christian Emperours and Oecumenicall Councells, have conferred upon that See, provided they be not exacted as a divine right.

His *First Movership* and his *First Governourship*, are but generall insignificant Termes, which may agree as well to a beginning of Vnity or Primacy of Order, as to an absolute Monarchy or plenitude of power. If he will say any thing to purpose he must say it particularly, particulars began the breach particulars must stop the breach. I have given him an account, what particular Differences we have  
with

with him concerning *St. Peter*, what particular Differences we have with him concerning the Pope, let him apply him self to those, and not make continuall Excursions (as he doth) out of the Lists.

When I acknowledged an Authority due to the Roman Bishop in the Church, as a Bishop in his Diocesse, as a Metropolitan in his Province, as the Bishop of an Apostolicall See and Successour of *St. Peter*, I expected thakes; there are many that will not yield him one inch of all these steps without a new conflict. But behold the evill natures or evill manners of this Age, I am accused for this of *frivolousnesse and insincerity*. Yet I will make bold to tell this *Apprentice in Theology*, that whensoever the case cometh to be solidly discussed, it will be found that the principall grounds (if I had said the onely grounds I had not said much amisse) of the Popes pretended Monarchy, are the just rights and Privileges of his Patriarchateship, his Protopatriarchateship, and his Apostolicall Chaire, mistaken for Royalties, for want of good Distinction. I know the Court of *Rome*, who have been accustomed in these latter times, to milke the purses of their Clients, doe not love such a *dry Primacy* (as he phra-

*What respects due to the Pope.*

*pag. 498.*

phraſeth it) : but where they have no more right, and other Churches have a care to preſerve their own Privileges, they muſt have patience perforce.

pa. 302.  
*Extent  
of Papall  
power.*

His Parallel between the King of England and the Pope, will be then to ſome purpoſe, when he hath firſt proved that the Pope hath a Monarchy : untill then it is a mere begging of the Queſtion ; what a groſſe Soleciſme that is in Logick, he cannot chuſe but know. But ſince he is favourably pleaſed to diſpenſe with all men for the extent of Papall power, ſo they believe the Subſtance of it, and yet he himſelf either cannot, or dare not determin what the Subſtance of Papall power is; he might out of his Charity have compaſſion, and not ſtile us Mountebankes, who know no difference, between Roman Catholiks and our ſelves about the Papacy, but onely about the extent of Papall power. Although he ſtile us hereticks now, yet he was lately one of us himſelf : and would have continued ſo longer, if he had underſtood himſelf better, or the times bene leſs Clowdy. Let him call it *Subſtance*, let him call it *extent*, let him call it what he will, I have given him our Exceptions to their Papacy, let him ſatify them as well as he can,

can, and let truth prevaille : We have not renounced the substance of the Papacy, except the substance the Papacy doe consist in Coactive power. I side with no parties, but honour the Church of England, and welcome truth wheresoever I meet it.

*Tros Tyrinusve mihi nullo discrimine habetur.*

He telleth his Reader, that *I grant the whole question*, where *I affirm that the Bishop of Rome had Authority all over, as the Bishop of an Apostolicall Church*, or Successor of St. Peter. Much good may it doe him. As if every Bishop of an Apostolicall Church, were straight way an universall Monarch; or as if Authority did alwaies necessarily imply jurisdiction, or every Arbitrator or Depositary were a legall judge. I had reason to place a *Bishop of an Apostolicall Church*, in my Climax, after a Patriarch, for the larger extension of his Authority every where, not for the higher intension of his jurisdiction any where.

I urged that if the Bishop of *Rome* did succeed *St. Peter*, by the ordinance of Christ, in this Privilege to be the Prince and Sovereign of the Church, endowed with a single Sovereignty of power, that the *Great Councell of Chalcedon* was much to be blamed, to give equall Privileges to the Patriarch of  
Con-

Constantinople with the Patriarch of Rome, and to esteeme the Imperiall City more then the Ordination of Christ. To the second part of this Argument, that the great Councell of Chalcedon, did ground the Advancement both of Rome and Constantinople, upon the Imperiall Dignity of those two Cities, and to much more which is urged there against him, he is as mute as a Fish: but to the former part he answereth, *that for any thing I know to the Contrary Rome might remain superiour in Iurisdiction, though they had equall Privileges.* Very pretty indeed. He would have his Readersto believe, that a Sovereign and his Subjects have equall Privileges. Equalls have no power one over another; there may be a Primacy of Order among Equalls, but Supremacy of power taketh away Equality. Doth not he himself make it to be *S. Peters Privilege to be Prince of the Apostles?* And doth not he tell us that this Privilege descended from *S. Peter* upon the Bishop of Rome? Then if the Bishop of Constantinople, have equall Privileges with the Bishop of Rome, he is equall to him in this Privilege which descended frō *S. Peter.*

Rome  
and Con-  
stantino-  
ple  
equall.

Let him listen to the eight and twentieth Canon of that Councell, where having repeated and confirmed, the decree of the

Gene-



Generall Councell of Constantinople to the Cons.  
 same purpose, they conclude thus, for the Chalced.  
 (Nicene) Fathers did justly give Privileges to cap. 28.  
 the See of old Rome, because it was the Imperiall City. And the hundred and fifty Godly Bishops (in the Councell of Constantinople) moved with the same consideration, did give equall Privileges to the See of new Rome; Rightly judging, that that City which was the Seat of the Empire and the Senate, should enjoy equall Privileges with the ancient Imperiall City of Rome, and be extolled and magnified in Ecclesiasticall affaires as well as it, being the second in Order from it. And in the last sentence of the Iudges, upon the Review of of the Cause, The Archbishop of the Imperiall City of Constantinople or new Rome, must enjoy the same Privileges of honour, and have the same power out of his own Authority, to ordain Metropolitans in the Asiatick, Pontick, and Thracian Diocesses. That is as much in Law as to say, have equall Iurisdiction; for all other rights doe follow the right of Ordination.

But he knoweth right well that this will not serve his turn, his last refuge is to deny the Authority of the Canon; telling us that it was no free Act, but voted tumultuously, after most of the Fathers were

were departed. And miscalling it a *Bastard issue pinned to the end of the Conncell*. Which is altogether as false as any thing can be imagined to be. It was done before the Bishops had their License to depart ; It had a second hearing, and was debated by the Popes own Legates on his behalf, before the most glorious judges, and maturely sentenced by them, in the name of the Councell. This was one of those four Councells, which *St. Gregory* honoured next to the foure Gospels. This is one of those Councells, which every succeeding Pope, doth sweare solemnly to observe to the least tittle. I hope the Pope hath a better Opinion of it then he, at least for his Oaths sake.

*Schism.* Good Reader observe, what Clusters  
*disarm.* of Forgeries, this great Censurer hath re-  
*pa. 112.* packed together, in the compasse of a few Lines. I need to cite no other Authority to convince him, but the very Acts of the Councell. Remember whilest thou livest to distrust such Authors. First he saith, *This was no free Act*, most falsely : the Bishops all owned it as their free Act by their Subscriptions, and by their Testimonies before the Iudges. Secondly he saith, *the Clergy of Constantinople extorted it, with*  
*tumult.*

*unmultuous importunity*, most falsly: for it  
 had been once decreed before in the free  
 generall Councell of *Constantinople*; and  
 then the Clergy of *Constantinople*, did in-  
 treat the Popes Legates to be present at the  
 first debate of it, but they refused; and when  
 the said Legates alleged in Councell that  
 the Fathers were forced, they all una-  
 nimously testified against thē, *Nemo coactus*  
*est*. Thirdly he saith, *it was voted after most*  
*of the Fathers were departed, and onely those of*  
*the party of Constantinople left*, most falsly:  
 the Fathers were forbidden to depart,  
 and three of the Proto-patriarchs with  
 their subordinate Bishops determined it,  
 and subscribed the first day. Fourthly he  
 saith, *it was disavowed by the Patriarch of An-*  
*tioch and those under him*, most falsly: for  
 the Patriarch of *Antioch* and those under  
 him did ratify it, and subscribe it in Councell.  
 Fifthly he saith, *No Patriarch of Alexandria*  
*was there*; Good reason: For there was none  
 in being, the See being vacant, by the tur-  
 ning out of *Dioscorus*. Though this be  
 not so false as the rest, yet it is as deceitfull  
 as the worst of them. Sixthly he saith, *the*  
*Alexandrian Metropolitans and Bishops refu-*  
*sed to subscribe it*. They did not refuse to  
 subscribe it, but they requested the Coun-  
 cell

cell , that because it was their Custom to subscribe nothing , untill first it was subscribed by their Patriarch , that the Subscription might be deferred , untill they had a new Patriarch chosen; and they themselves were contented to stay in Chalcedon, untill this was effected. Now Iudge freely Reader, whether this man do not deserve a whetstone.

That which followeth concerning Immediate Tradition, is but one of his Ordinary Meanders , or an improper Repetition of an heap of vntruths and uncertainties , blundered together to no purpose, without any prooffe. That *the Tradition of all Churches of the Roman Communion is necessarily an Vniuersall Tradition*; That *onely those Churches of the Roman Communion do adhere to the rule of Tradition, and all other Churches have renounced it*; That *all those who differ from the Church of Rome did never pretend immediate Tradition, for those points wherein they differ from it : are so many grosse untruths. That the very same which is delivered by some Christian Parents to their Children, is delivered by all Christian Parents after the same manner*; That *whatsoever is delivered by Christian Parents of this Age, is necessarily derived from the Apostles by an uninterrupted Succession*; And that

that externall Vnity doth necessarily imply an Identity of Tradition: Are contingent uncertainties, which may be true or may be false. His reason, that it is impossible for the beginners of a Novelty, to pretend that their immediate Fathers had taught them, that which the whole World sees they did not; is absurd and impertinent, and may serve equally to both parties.

First it is absurd and Contrary to the Sense of the whole World. Wee see dayly by experience, that there are Innovations in Doctrine and Discipline, and both parties pretend to ancient and immediate Tradition, he might as well tell us.

*Nil intra est oleum, nil extra est in Nuce duri.*

The *Arrians* pretended to immediate Tradition as well as the Orthodox Christians. Secondly it is impertinent; Changes in Religion are neither so suddain nor so visible as he imagineth, but are often made by degrees, in tract of Time, at leisure, insensibly, undiscernibly. An Errour comes first to be a Common Opinion, then a pious Doctrin, lastly a point of faith: but seldome do Errours appeare at first in their own shape.

*Fallit enim vitium specie virtutis & umbrâ.*

A beginning of Vnity in time may grow to be a Sovereignty of power. Investitures were taken away from Kings for feare of Simony : and this feare of Simony before the wheele had done running, produced the most sublimated Art of Simony that ever was devised. Who would or could have suspected, that those huge Cryes for free Liberty of Election, should have ended in Papall Provisions; or the Exemption of Clergymen from their Allegiance to their native Prince, have been an Introduction to a new Oath of Allegiance to a Forrain Prelate? The subjection of the Emperours to the Popes, began with Pictures, proceeded to Poetry, and ended in down right Maxims of Theology. There hath alway been a Mystery of Iniquity, as well as a Mystery of Piety; the Tares were sown whilest men slept, and were not presently discerned. It is not I, who have changed faith into opinion : My faith is the very same that alwaies was professed throughout the Christian World, by every Christian at his Baptisme, and comprehended in the ancient creed of the Church. But it is they who have changed Opinion into faith, when *Pius* the fourth metriculated 12. new Opinions, among the ancient

cient articles of the creed. Let them be probable, or pious, or erroneous, or what you will; I am sure they are but Opinions, and consequently no Articles of faith.

I said such *Opinions of an inferiour Nature*, *Opinions are not so necessary to be known*. He asketh, *not necessary Whether they be necessary or no? If they be not necessary, why do I grant them to be necessary by saying, they are not so necessary? If they be necessary, why call I them but Opinions?* Doth he know no distinction of things necessary to be known, that some things are not so necessary as other? Somethings are necessary to be known, *necessitate medii*, to obtain Salvation: Somethings are necessary to be known onely, *necessitate Precepti*, because they are Commanded, and they may be Commanded by God or Man; the latter are not so necessary as the former. Somethings are absolutely necessary to be known by all Men: Some other things are onely by some Men; *Art thou a Master in Israell and knowest not these things?* Somethings are enjoined to be held onely for Peace sake; those are not so necessary to be known as the Commandements, or the Sacraments, or the Articles of the Creed. The Popes infallibility in his definitions of faith, is but an Opinion, and yet they hold it ne-

*John. 3.  
10.*



cessary. The Superiority of a Generall Councell above the Pope, was a necessary *Bell. de* Opinion in the time of the Councells of *Concil.* *Constance* and *Basile* : and now the Contrary *lib.2.* Opinion is *fere de Fide* ; almost an Article *cap.17.* of Faith.

He knoweth better by this time what I understand by *points of Faith publickly professed* ; even the Articles of the Creed, which every Christian that ever was from Christs time untill this day, professed at his Baptisme. All the Christian world have ever been baptised into the Faith of the old Creed, never any man yet was baptised into the Faith of their new Creed : if these new Articles, be as necessary to be known and publickly professed for the common salvation as the Old, they doe them wrong to baptise them but into one half of the Christian Faith.

*Heresies  
empeach  
not the  
perpetui-  
ty of  
tradition*

He troubleth himself needlessly with Iealously and suspicion, least under the notions of *Faith universally professed*, and the *Christian world united*, I should seeke a shelter or Patrociny for *Arrians*, or *Soci-nians*, or any other mushrome Sect ; as if the Deity of Christ were not delivered by Vniversall Tradition, or not held by *the Christian world united*, because of their

Op-

Opposition. I doe not looke upon any such Sects , which did or do oppose the Vniverfall and perpetuall Tradition of the Catholick Church before their dayes, as living and lasting Streames , but as suddain and violent Torrents : neither do I regard their Opposition to the Catholick Church , any more then of a Company of Phrenetick persons, whilst I see plainly *a parte ante* , that there was a time when the wheat did grow without those Tares ; and *a parte post* , that their Errours were condemned by the Catholick Church. This exception of his hath great force against his immediate Tradition ; should the Children of Arrians or Socinians , persist in their Arrian or Socinian Principles , because they were delivered to them , as the Legacies of Christ and his Apostles , by their erring Parents ? But against my Vniverfall and perpetuall Tradition they have no force at all. Neither do I looke upon their petty interruption, as an empeachment to the Succession from the Apostles , no more then I esteem a great mountain , to be an Empeachment to the roundnesse of the Earth.

Neither was it the Church of *Greece*, and all the other Eastern, Southern, and Northern Churches, which receded from this Univerſall Tradition, in the caſe in Difference between us, concerning the diſciplin of the Church; but the Church of *Rome* which receded from them.

*Non tellus Cymbam, tellurem Cymba reliquit.*  
He knoweth little in Antiquity, who doth not know, that the Creed was a Tradition both *materially*, as a thing delivered by the Apoſtles, and *Formally* as being delivered by Orall Tradition. But he who ſhall ſay (as he doth) that *all the points controverted between us and them*, were delivered as derived from the Apoſtles, in a Practiſe as dayly Viſible as is the Apoſtles Creed, by our Forefathers; as invoking Saints for their interceſſion, the lawfullneſſe of Images, praying for the dead, Adoration of the Sacrament &c; and in particular the Subjection to the Pope as Supreme head (to uſe his own phraſe) is a frontleſſe man. His very mumbling of them, and chopping of them by halves, as if he durſt not utter them right out, is a ſufficient Evidence of the Contrary. We doe not charge them onely with *invoking Saints for their interceſſion*, or to ſpeake more properly with the invoking God to heare the interceſſion of his  
Saints

No tradition  
for the  
points in  
difference  
between  
us.

Saints; but with more insolent formes of ultimate prayers to the Creatures, *to protect them at the houre of death, to deliver them from the Devill, to conferre spirituall Graces upon them, and to admit them into heaven, precibus meritisque, not onely by their prayers but likewise by their merits.* As improper and Ad-dresse, as if one should fall down on his Knees before a Courtier, and beseech him to give him a Pardon, or to knight him, meaning onely that he should mediate for him to the King.

We do not question the lawfulnessse of their *having of Images*; but worshipping of them, and worshipping of them with the same worship which is due to the Prototype. We condemne not *all praying for the dead*, not for their resurrection, and the consummation of their happinesse: but their prayers for their deliverance out of Purgatory. We our selves adore Christ in the Sacrament, but we dare not adore the Species of bread and wine. And although we know no divine right for it: yet if he would be contented with it, for peace sake we could afford the Bishop of Rome a Primacy of Order by humane Right, which is all that antiquity did know. And if any of our Ancestours in any of these particulars, did swerve from the Vniversall Perpetuall

Tradition of the Church, we had much better warrant to return to the Apostolicall line and Levell, then he himself had to desert those principles temerariouſly, which his immediate Forefathers taught him, as delivered by the Apoſtles and derived from them.

His next exception is a meere Logomachy, that I call two of his Assertions *Inferences*. What doth this concern either the perſon or the Cauſe? Either this is to contend about the ſhadow of an Aſſe, or I know not what is. Let the be premiſſes or Concluſions which he will, they may be ſo diſpoſed to make them either; if they be neither what do they here, if they be concluſions they are inferences. He calleth the former Concluſion their *chiefe Objection*; who ever heard of an Objection without an Inference? And the ſecond is ſo far from being no Inference, that it comprehendeth four Inferences, one from the firſt Principle, another from the ſecond Principle, and the third from both Principles. That *Churches in Communion with the Roman have the onely right Doctrin in virtue of the Firſt Principle, and the onely right Government in virtue of the ſecond Principle, and Unity neceſſary to Salvation in virtue of both*

Prin-

*Principles.* And the last conclusion is the Generall Inference from all these, *And by consequence we hold them, onely to make the entire Catholick Church.*

I said truely, that we hold both their Rules of Vnity; I adde that we hold them both *in the right sense*, that is, in the proper literall sense of the words; but what their sense of them is, concerneth them not us. If by the *Popes Supremacy* he understand a single Sovereignty or Supremacy of power, by virtue of Christs own Ordinance; we hold it not indeed, neither did the Catholick Church of Christ ever hold it. So likewise if by *Traduion of our Ancestours*, he understand Vniversall and Perpetuall Tradition, or as it were Vniversall and perpetuall; we joine hands with him: but if by Tradition he understand the particular and Immediate Tradition of his Father, or ten thousand Fathers, or the greater part of the Fathers of one Province or one Parriarchate, in one Age, excluding three parts of the Catholick Church of this Age, and not regarding former Ages between this Age and the Apostles; we renounce his Rule in this Sense, as a Bond of Errour not of Vnity. And yet in generall, according to  
the

the Literall sense of the words , we embrace it as it is proposed by him self; that *The Doctrins inherited from our Fore fathers, as the Legacies of Christ and his Apostles, are onely to be acknowledged or Obligatory.* So we acknowledge both his Rules in the Literall sense *de facto* : but the Popes single Supremacy of Power and particular Tradition , were never Principles of Vnity , neither *de facto* nor *de jure*; and so he may seek for his flat Schismatick *de facto* at Rome.

I said there was a Fallacy in Logick of more interrogations then one , when Questions of a different nature are mixed , to which one Vniform answer can not be given. He saith *he put no Interrogatory at all to me.* True ; but he propounded ambiguous Propositions to be answered by me, confounding St. Peter and the Pope , an Headship of Order and an Headship of power , which is all one. An head of Order hath power to Act First , as well as sit First : but he acteth not by his own single power , but by the conjunct power of the body or College.

pa. 510.

To shew him , that I am not ashamed of my *voluntary railing* (as he phraseth it) too  
silly



*silly to merit transcribing or answering*, I will transcribe it for him. [The Church or Court of Rome have Sophisticated the true Doctrin of Faith, by their supplementall Articles, contrary to the First Principle; and have introduced into the Church, a Tyrannicall Government, contrary to the second Principle: and are so far from being the entire Catholick Church, that by them both they are convicted to have made them selves guilty of Superstition and Schisme]. If this be railing, what Terme doth his Language deserve? If this be silly, what pitifull stufte is his?

He said *my onely way to cleave our church from Schisme, was to disprove his two Rules.* I answered he was doubly mistaken, first in putting us to prove or disprove, who are the persons accused, the defendants duty is to answer not to prove; that is the duty of rhe accuser. They accuse us of Schisme, therefore they ought to prove their Rules, whereon they ground their Accusation, in that Sense wherein they take them; not put us to disprove them. He urgeth that *by this Method, no Rebells ought to give any reason why he did so, because he is accused of Rebellion by his lawfull Governour.*

The  
Proof  
rests on  
their  
side.  
By

By his leave, he that condemneth a Subject of Rebellion, before he have proved his accusation, doth him wrong, But he saith, *the truth is wheresoever there is a contest each side accuses the other, and each side defends it self against the others Accusations*; but we were the first accusers, who could not with any Face have pretended to reform, unlessse we accused first our actuall Governour of *Vsurpation*. I told him before that he was doubly mistaken; now I must be bold to tell him that he is three wayes mistaken. First the Pope was none of our actuall Goyer-nour, in the externall Regiment of the Church, by the Lawes of *England*. Secondly our Reformation was no Accusation, but an Enfranchisement of our selves *sub moderamine inculpatæ tutelæ*. Thirdly, I have already manifested the *Vsurpation* of the Court of *Rome*, upō other manner of grounds then his ambiguous Rules. As we have proved our intention; so let him endeavour to prove his.

My second answer was, that *although the prooffe did rest on our sides*: Yet I did not approve of his advise, that was, to disprove his two Rules. My reason is evident, we approve of his two rules as they were set down by himself; it is not we but they

they who have swerved from them, and therefore it were madnesse in us to disprove them. He saith, *he dare sweare in my behalf, that I never spake truer word in my life,* and out of his Supererogatory kindnesse offers him self *to be bound for me, that I shall never follow any advise that bids me speake home to the point.* What silly nonsense is this, should I follow any mās advise to disprove that which I approve? I have spoken so home to the point without any advise, that I expect little thanks from him and his fellowes for it.

What he prateth of *a discipline left by Christ to the Church of England in Henry the eighths time*, is ridiculous indeed. And it equally ridiculous to hope to make us believe, that the Removall of a few upstart Usurpations, *is a change of the discipline left by Christ to his Church.* And lastly it is ridiculous to Fancy, that later usurpations may not be reformed by the Pattern of the Primitive times, and the ancient Canons of the Church, and the Practise of succeeding Ages, because we received them by particular Tradition from our immediate Fathers. That one place which he repeateth as having been omitted by me, hath been answered fully to every part of it.

pag.  
513.

The

The rest of this Section is but a Repetition of what he hath said, without adding anything that is new; and in the Conclusion of this Treatise he giveth us a *Summa totalis* of it again (either he must distrust his Readers memory or his Iudgement); and yet for feare of not being understood, he recapitulates it all over again in his *Index*. Surely he thinketh his discourse so profound, that no man understands him except he repeat it over and over again: and for my part I did never meet with such a Torrent of Words, and such Shallownesse of matter. And so I leave him to S. Austins censure alledged by himself. *In mala causa non possunt aliter, at malam causam quis coegit eos habere.*

*Sect. II.*

*That they who cast Papall power out of England were no Protestants, but Roman Catholicks throughout, except onely in that one point of the Papacy.*

**H**ilberto (he saith) he hath been the larger in his reply, because the former points were Fundamentall concerning, and totally decisive of

*of the Question.* They doe concern the Question indeed, to blunder and to confound Vniuersal Tradition with particular Tradition, a Primacy of Order with a single Supremacy of power, Iurisdiction purely Spirituall with externall Iurisdiction *in foro contentioso*: otherwise they concern not the Question. And for deciding of the Question; wherewithall should he decide it? who hath not so much as alledged one Authority in the Case, Divine or Humane, not a Text of Scripture, not a Canon of a Councell, not a Testimony of a Father; who hath not so much as pretended to any Vniuersall or perpetuall Tradition, but onely to the Particular immediate Tradition of the Roman Church; and this he hath onely pretended to, but neither proved it, nor attempted to prove it, nor is it possible for him to prove by the particular Tradition of the Roman Church itself, that the Bishop of Rome is the Sovereign Monarch of the Church by Christs own Ordination, His onely grounds are his own Vapourous Fancies, much like *Zeno's* Vaunts, who used to bragge, that he sometimes wanted Opinions, but never wanted Arguments.

My six grounds he stileth Exceptions. And why Exceptions? But let them be grounds

grounds, or exceptions, or whatsoever he will have them to be; and let him take heed that every one of those *Trifles and Toyes* (as he calleth them) do not baffle him and trip up his heeles.

I pleaded that [Roman Catholicks did make the first separation]. He answers, that *this Plea doth equally acquit any Villain in the World, who insists in the steps of his Forefather Villains.* Would no expreſſion lower then this of *Villains* serve his turne? Who can help it? If those Forefathers (whom he intimates) were *Villains* or any thing like *Villains*, they were his Forefathers twenty times more then ours; We inherit but one point in difference from them, but he twenty: The denomination ought to be from the greater part. If any of them were deemed more propitious to us then the rest, it was *Henry the eighth*, or Archbishop *Cranmer*: For both these we have their own confession that they were theirs.

*Guil.* First for Henry the eight, *We had a King*  
*Alan.* who by his Lawes abolished the Authority of the  
*Apol.* Pope, although in all other things he would  
 cap. 4. follow the faith of his Ancestours. And for  
 pag. 59. Archbishop Cranmer heare another of  
 them, *Cranmer the unworthy Archbishop*  
*of Canterbury was his* (the Earle of Hart-  
 fords)

fords) right hand and chiefe Assistant in the work, although but a few moneths before he was of King Harries Religion, yea a great Patron and Prossecuter of the six Articles. But to deale clearly with you, there is not the same reason to imitate a notorious knave in his confessed knavery, and to follow one who hath not onely a reasonable and just cause of contending, but also the reputation of an honest man, even in the judgement of his adverse party, in all other things, except onely therein wherein he is adverse to them. Such were all the Actors in this cause by their Confession. If we acknowledged, that they who cast out Papall Vsurpations were Schismaticks for so doing, he said something: but we justify their Act, as pious and virtuous; and so his Comparison hath never a leg to run on.

I pleaded, that [it was a violent presumption of their Guilt and our Innocence, when their best Friends, and best able to Iudge, who preached for them and writ for them, who acted for them and suffered for the, who in all other things were great Zealots of the Roman Religion, and persecuted the poore Protestants with fire and fagot, yet cōdemne the and justify this seperatiō.]

Q

He



Survey  
cap. 2.

He minceth what I say according to his use, and then excepteth, *The word [best] might have been left out; They ever were accounted better Friends who remained in their former faith, and the other Bishops looked upon as Schismaticks by the Obedient party.* Yet the Bishop of Chalcedon doubted not to call them *the best of Bishops.* He should do well to tell us for his credits sake, who those other Bishops were who looked upon these as Schismaticks. Such is his ignorance in the State of these times that he dreameth of two parties, an *Obedient Party* and a *Rebellious Party*; whereas there were no Parties but all went one way. There was not a Bishop, nor an Abbot of Note in the Kingdome, who did not vote the Kings Supremacy, Four and twenty Bishops and five and twenty Abbots personally at one time. There was not a Bishop nor any person of note in the Kingdome, who did not take the Oath of the Kings Supremacy, except Bishop *Fisher* and *S. Thomas Moore*; who were imprisoned for treason, either true or pretended, before that Act was made, for opposing the Succession of the Crown. If he will not trust me let him trust the Veredict of our Vniversities; At length we all agreed unanimously in this Sentence

and were of one accord, that the Roman Bishop *Act. &*  
 hath no greater Iurisdiction given him by God Mon.  
 in holy Scripture, in this Kingdome of En. p. 565.  
 gland, then any other Forrain Bishop. The Reg.  
 same Sentence was given by our Convo- *Epist.*  
 cations or Synods, the same Sentence was *Vni.*  
 given by our Parliaments with the same *Ox. Ep.*  
 concord and Vnanimity, *Nemine Dissen-* 2.  
*tiente*; We had no parties but one and all. *Sac.*  
 Let him listen to his Friend Bishop Gar. *Syn.*  
*diner*, No Forrain Bishop hath any Auth- *An. 7.*  
 rity among us; all sorts of people are agreed 1530.  
 with us upon this point with most stedfast con- *&*  
 sent, that no manner of person bred or brought 1532.  
 up in England hath ought to doe with 24 Hen.  
 Rome. 8. c. 12.

And Ireland was unanims here in with *De vera*  
 England. All the great Families as well *Obedi-*  
 of the Irish as of the English, did acknow- *entia.*  
 ledge by their Indentures to S. Anthony  
 St. Leger then chiefe Governour of Ire-  
 land, the Kings Supremacy and utterly re-  
 nounce the Iurisdiction of the Pope. Yet it *Counc.*  
 was not the meaning of our Ancestours *booke*  
 then, and (though some of them had *An.*  
 been so minded) it is not our meaning 32. 33.  
 now to meddle with the power of the 34.  
 Keys, or abridge the Bishop of Rome *Hen. 8.*  
 of any Iurisdiction purely spirituall, or

any Legacy which was left him by Christ or his Apostles : but onely to cast out his usurped Coactive power in the exterior Court, without the leave of the Sovereign Prince, which Christ and his Apostles did never exercise or dispose of or meddle with, and to vindicate to our Kings the Politicall or externall Regiment of the Church, by themselves and by their Bishops and other fit delegates, as a Right due to all Christian Princes by the Law of God and nature.

But he attributeth all this to *the Feare* of the Clergy and the people, and *the Kings violent Cruelty*: and for prooffe of what he saith, citeth half a passage out of *Doctor Hammond*, but he doth *Dr. Hammond* notorious wrong. *Dr. Hammond* speaketh onely of the first preparatory act, which occasioned them to take the matter of right into a serious debate in a Synodicall way: he applieth it to the subsequent act of Renunciation after debate. *Dr. Hammond* said onely *it is easy to be believed*: *Mr. Serjeant* maketh it a just Presumption or confest Evidence. *Dr. Hammond* speaketh of no feare but the feare of the law, the law of *Premunire*; an ancient law made many ages before *Henry* the eighth was borne, the *Palladium* of England,

England, to preserve it from the Vsurpations of the Court of Rome: but he misapplieth it wholly to the feare of he Kings violent Cruelty. Lastly he smothers *Dr. Hammonds* Sense expressed clearly by himself, that *there is no reason to doubt, but that they did believe what they did professe, the feare being the Occasion of their debates, but the reasons or Arguments offered in debate the causes (as in all Charity we are to Iudge) of their decision.* He useth not to cite any thing ingenuously:

If he did, he could have told his Reader, that this answer was taken away by me before it was made by him. For two whole Kingdomes, the Vniversities, the Convocations, the Parliaments, to betray their Consciences, to renounce an Article which they esteem necessary to salvation, onely for the feare of a Premunire or the losse of their goods, to forswear themselves, to deny the Essence of their faith, to turn Schismatics, as if they did all value their Goods more then their soules, without so much as one to oppose it; is a vain uncharitable surmise or rather it is incredible, and not onely incredible but impossible. They were the men that advised the King to assume the Supremacy. Arch-Bishop

*Act. ad*

*Warham* told the King it was his right to have it before the Pope, Bishop *Gardmer* was the chiefe framer of the oath of Supremacy, Bishop *Tonstall* and *Longlands* were the chiefe Preachers up of the Kings Supremacy at *St. Pauls Crosse*. *Tonstall* justifieth it in his Letter to Cardinal *Poole*, *Gardiner* and *Beckenshaw* did write Polemick bookes in defence of the Kings Supremacy. The whole Convocation did set forth a Catechisme or Catechetickall booke, to instruct the people in the Kings right to the Supremacy, called *the Institution of a Christian man*. Bishop *Bonner*, bloody *Bonner*, who made such Bonfires of the poore Protestants, being then the Kings Embassadour with *Clement* the 7th, did so boldly and highly set forth King *Henryes* Supremacy in the Assembly of Cardinalls, that they thought of burning him or casting him into a vessel of Scalding lead, if he had not secured himself by flight.

Ac-  
worth  
contra  
Sand.  
l.2.pag.  
195.

Suppose it was credible that they all voted out of feare, and tooke the Oath of Supremacy out of Feare; what feare could constrain them to advise the King to assume the Supremacy as his right, to frame the Oath of Supremacy, to instruct others in the Kings right to the Supremacy, by private

vate Letters, by publick Catechismes, to preach up his Supremacy, to propugn his Supremacy in their Polemick writings, in their Orations before the Cardinalls themselves with hazard of their lives, to tickle the Kings ears with Sermons against the Popes Speed in Supremacy? Who shall still say what these Hen. 8. men did was out of feare, must be a very cap. 21. credulous man. The contrary is as evident to the world as Noone day light. I will conclude this point of the *Feare of the Kings violent Cruelty*, with Bishop Gardiners Testimony of himself. He objecteth that as a Bishop he had sworn to maintein the Supremacy of the Pope. To which he answereth, that what was holily sworn, is more holily omitted, then to make an Oath the Bond of Iniquity. He confessed him self to have been married to the Church of Rome bona fide as to his second wife; but after the return of his first wife (that is the truth) to which he was espoused in his Baptism, being convicted with undeniable evidence, he was necessitated out of Conscience, to forsake the Church of Rome in this particular Question of Supremacy, and to adhere to his first wife the truth, and after her to his Prince the Supreme head of the English Church upon earth.

*De vera  
Obedien-  
tia.*

Secondly, I pleaded that [although it doth

doth not alwaies excuse *a toto* from all guilt, to be misled by others into errour, yet it alwaies excuseth *a tanto*, it extenuateth the Guilt]. This Allegation is so evidently true, that he hath not confidēce enough to deny it, (which is a wonder,) but argueth against it, first, *how could we thinke their example to be followed, whom we confesse to have done what they did out of feare?* Or rather what a shamelesse untruth is this? His witnesse saith, that feare might be the Occasion of the debate, but reason and Conscience were their directours in the decision; and we have demonstrated that their actions could not possibly proceed from feare.

His second answer is, *why doe we not rather follow them in renouncing their Schisme, as those Bishops did after the Kings death?* Once proved false is alwaies presumed to be false. Who told him that they made any retractation after the Kings death, after they were freed from their imminent feare? They made no Retractation, but held their Bishopricks in King Edwards time untill other Questions did arise, and executed the Statute of Supremacy as rigorously as they did in Henry the eighths time. For prooffe where  
of



of, I cite the Testimony of *Queen Elizabeth*, given to their Faces in their limestimes, before the most eminent Embassadours of the greatest Princes, when they might have contradicted it if they could, when the Emperour and other Roman Catholick Princes interceded with her for the displaced Bishops: She gave them this answer, that *they did now obstinately reject that Doctrin, which most part of themselves under Henry the eighth and Edward the sixth, had of their own accord with heart and hand, publickly in their Sermons and writings taught unto others, when they themselves were not private persons but publick Magistrates.* Observe the words, first, *of their own accords.* Secondly not onely under *Henry the eighth* but *Edward the sixth*; there falleth his Plea to the ground. Thirdly when they themselves were *publick Magistrates*, and consequently in a Capacity of doing rather then of suffering. Lastly *with heart and hand*, not onely in *their Sermons*, but also in their printed *Writings*. We use to say, *there is no defence against a Flaile*: certainly against Subscriptions and publick writings there can be no Defence.

*Camd.  
an. Eli.  
an 1559*

To

*De Schism. Anglic. l. 2. p. 282.* To the Queenes testimony I adde another of Sanders, that the Bishops of Winchester, London, Durrham, Worcester, Chichester, Excellent Men and inwardly Catholicks, yet being made Bishops in the Schisme, they had not the Spirit of courage. Therefore they resisted faintly to the Kings Primacy, or rather they subscribed simply both to it and all other innovations, which seemed not to containe open haresy, least they should lose their Bishopricks. When may we expect a true word from him?

Thirdly, he urged the beginners of a fault, may be lesse culpable then their followers, when their Provocations be greater. Their Provocations were no lesse then expectation of death and destruction by the Kings inhumane Cruelty: but our continuance in Schisme compared to the Motives of theirs is in a manner gratis, all our reasons being for our Livings and Interest heretofore, and now a vain glorious Itch to approve ourselves to our party. We have had many proofes of his Veracity, here is one more of his Charity. Suppose his new light had lead him into ready Paths not Precipices, (which no man will grant him, but his own Fellowes): Yet why should he accuse us of Hipocrisy rather then of error in Iudgement, who have lost all our estates

estates for our Consciences , which probably he never had to loose, nor would have quitted it so if he had had it? but onely that his own guilt doth dictate such uncharitable Censures to him. No Mr. Serjeant, we are no such Changlings or turning weather cocks; that is your own part : And you may live to act it over againe , such hot water freeseth soonest. Are you so blind, that you do not see that this Accusation might be re-  
 torted upon you , and upon your great Couverts whom you propose to us for Patterns ? Who as you say had been Schismatics in *Henry* the eighths time; you might as well say for the most part of them in *Edward* the sixths time also , and had no other way in the World to preserve or recover their Bishopricks in *Queen Maryes* dayes but by pretending at least such a Conversion. But we are not so uncharitable as you, we Iudge them by their profession and leave their Consciences to God.

Thirdly , I pleaded that although those who cast the Popes pretended Sovereignty out of *England* , had been Schismatics as they were not : yet we cannot be charged with Schisme , so long as we seek carefully after truth , and are ready implicitly in the preparation of our minds to embrace it,  
 when.

whensoever we find it. Because he shall not Prevaricate with us, I will reduce my Argument into Syllogisticall Forme. Who-soever invented not their false Opinions themselves, but learned them from their erring Parents, are not to be reputed Hereticks (much lesse Schismaticks,) if they defend thē not with pertinacious animosity, but inquire carefully after the truth, and be ready to embrace it, and correct their errors when they find them: But if we had any false opinions we invented them not our selves, but learned them from our erring Parents. Therefore we are not to be reputed Hereticks (much lesse Schismaticks,) if we defend not our Opinions with pertinacious Animosity, but inquire carefully after the truth, and be ready to embrace it, and Correct our Errors when we find thē. The Major is *St. Austins* to a word, and is yielded by *Mr. Serjeant* to be true. The Minor is evident to all the world and cānot be denied: Therefore the conclusiō is firme.

I doe not urge this, as though I had the least suspicion in the world that our Ancestours did erre, but to shew that although they had erred, yet we are not to be reputed Hereticks or Schismaticks whilest we doe our endeavours to find the truth, and embrace it implicitly in the preparation of our minds.

*Aust.*  
*Epist.*  
162.

minds. Neither do I urge this to convince  
 others who do not know our hearts, and  
 perhaps will not believe us, when we tell  
 them that we hold the truth implicitly; but  
 for the satisfaction of our own Conscien-  
 ces. We know whether we hold Opinions  
 pertinaciously or not; and whether we  
 desire and endeavour to find out the truth  
 or not; and whether we are willing to em-  
 brace the truth whensoever God shall re-  
 veale it or not: None know it but God and  
 ourselves, Mr. Serjeant cannot know it.  
 And therefore as his answer is improper  
 and contrary to the Rules of Logick, to  
 deny the Conclusion or Condition contain-  
 ed in the Conclusion: So it is vain and  
 presumptuous to Iudge of another mans  
 Conscience, which is known onely to God  
 and himself. I cited *S. Austin* to prove the  
 Proposition which he yieldeth, not the As-  
 sumption which is too evident in it self to be  
 denied, much lesse to be a witnesse of our  
 hearts which it was impossible for *S. Au-*  
*stin* to know. Iudge Reader what *Ardelioes*  
 and busy bodies these are, censuring and  
 damning all Protestants to the Pit of Hell  
 as Hereticks and Schismaticks, and yet  
 when they are pressed home, are forced  
 to confesse, that if they doe endea-  
 vour to find out the truth, which all  
 good

good Christians doe ; then they are neither Hereticks nor Schismatics. This may be a great Comfort and Satisfaction to all Consciencious Protestants, who are dayly molested by these men and terrified with such Bugbeares as these. But Mr. Serjeant hath devised a new Method to discover the hearts of Protestants, by *the Testimony of their eyes, and the undeniable Verdict of their Reason*, onely by viewing my Answer to his first Section. *Risum teneatis amici ?*

To draw the Saw of Contention to and fro, about *Henry the eighth Warham Heath Tonsall Gardiner Bonner &c*, whether they were Protestants or Papists is impertinent and frivolous. Impertinent ; let them call them Protestants, or Papists, or neither, or both, it is all one to my Argument, that it is a violent Presumption of their guilt and our Innocence, that all their great Scholars who preached for them, and writ for them, and acted for them, and suffered for them in all other differences, should desert them in this. And frivolous ; to contend about the word when we agree upon the thing. The thing is without all Controversy or Dispute ; they held with the Protestants in the Article of the



the Supremacy, and with the Papist in all other Articles what soever.

Now whether their Denomination shall be from the greater part as it is in all other cases, (mixe one drop of milk with twenty or fourty of water, and we call it water not milke) or from the Lesser part as *Mr. Serjeant* would have it, I commit to the Readers Iudgement, and desire him to determine it himself; whatsoever way he determines it, his Iudgement will be lesse Prejudiciall then to be molested with such wranglers.

Protestants may persecute Protestants, but not as Protestants, and Papists may persecute Papists (as the *Iansenists* persecute the *Iesuits*), but not as Papists; even *Ishmaels* mocks are termed persecutions: but they seldome make such bloody lawes, against those whom they acknowledge to be of their own Communion, as the law of the six Articles was, or persecute them with fire and faggot as *Bonner* did. He urgeth p. 520 that *between every Species of Colour which we have names for, there are hundreds of middle degrees for which we have no names.* Well argued against himself; Wit whither wilt thou? Then why doth he call them Protestants, and give them a name? There are indeed between



between every Species of Colours, many middle degrees which have no distinct names; but therefore we give them the name of those Colours which they come nearest to; either with a distinction if the difference be easily expressed, as grassgreen, seagreen, willowgreen, &c. or without any distinction, the white of an Egge is not so white as snow, yet both white. If he would pursue his own instance this Controversy were ended.

He prateth of *the subordinate Sects of Protestants*, and how *changeable they are every day*. He loveth to have a *Vagare* out of his lists. It is his Spirituall Mother the Church of *England*, that gave him his Christian being, which he hath undertaken to *Combate*; let him adorn that *Sparta* as he is able: and if he did it with more Modesty he were lesse to be blamed then he is. If she had been but his old Friend, yet *Friendship ought to be unstitched by degrees not torn asunder suddainly*. But to cast durt in the Face of his own Mother, is a shrewd sign of an ill nature. As the Foole said to a Favorite, *If I fall I can rise againe, but if thou fall thou wilt never rise againe*: so if we change, there is no great danger in it, because we keep our selves firmly to our old Essentials, that

is the Apostles Creed; but their Change is dangerous, who change their Creed, and presume to adde new Essentials to the old.

He beareth such a perfect hatred against *Reformation*, because it is destructive to his Foundation of immediate Tradition, that he maketh *No Papist* and a *Reformer* to be the Character of a Protestant. Popes and Cardinalls, Emperours and Kingdomes, Churches and Councells have all acknowledged both the Lawfulness and necessity of Reformation. What doth he thinke of the Councell of Trent, or hath he peradventure never read it? But what doth he thinke of the Councells of *Constance* and *Basil*, who profess themselves every where to be qualified to reform the Church, *nam in Capite quam in membris*; as well in the head as in the members? They escape fairly if he doe not censure them as Protestants: for they were great Reformers, and they were no great Papists, placing the Sovereign power under Christ in the Church and not in the first Mover. I might well call the Reformation in Henry the eighth time *their Reformation*, the *Papists Reformation* rather than ours, if the Reformers were more Papists than Protestants, as it most evident.

I pressed him that if *the Renunciation of the Bishop of Romes absolute universall Monarchy*, by Christs own Ordination, be the essence of a Protestant, then the Primitive Church were all Protestants. He answereth, it is flatly false. I am contented to be silent for the present, but when time serveth, it may be made appeare, to be *flatly true*; and that all that the Primitive Fathers did attribute to the Bishop of *Rome*, was no more then a Primacy of Order or beginning of Vnity; and that an absolute Monarchy by Christ Ordination, is absolutely repugnant to the Primitive Discipline

I proceeded [then all the Græcian, Russian, Armenian, Abyssen Christians are Protestants this day]. He answereth, that *it is partly true and partly false, and serveth onely to prove that the Protestants have fellow Schismaticks*. And why partly true and partly false? when all the world seeth, that all these Churches doe disown and disclaime the Popes Monarchy. This is just the old condemned Tenet of the Schismaticall Donatists, who did most uncharitably limit the Catholick Church to their own Party, excluding all others from hope of Salvation, as the Romanists doe now. The best

is, we must stand or fall to our owne Master: But by this means, they have lost one of the notes of their Church, that is *multitude*, for they exclude three or four times more Christians, out of the Communion of the Catholick Church, then they admit into it.

I proceeded yet higher, [then we want not store of Protestants, even in the bosome of the Roman Church it self]. His answer is, that *to speake moderately, it is an impudent falshood, and a plain impossibility, for whosoever renounceth the Substance of the Popes Authority, and his being head of the Church, becomes totally disunited from the Church.* Good words! His groundworke is to weake to support the weight of such an heavy accusation. A *Primacy* of Order implyeth an *headship*, as well as *Supremacy* of power; neither is it destitute of all power. It hath some power essentially annexed to it, to congregate *sub pana pure spirituali*, to propose, to give sentence according to the votes of the College; It may have an accessary power, to execute the Canons according to the Constitutions of Councells, and Imperiall Sanctions, and Confirmations.

But all this commeth far short of that headship which he asserteth, a *Soveraign*

*Monarchicall Headship of absolute power,  
above the whole Church by Christs Ordination.*

This is that Headship which he mainte-  
neth against me every where. This is that  
Headship which the Primitive Church  
never acknowledged. This is that Head-  
ship which the *Grecians, Russians, Armenians,  
Abyssines* and the Church of *England* re-  
nounce at this day. This is that Headship,  
which many of his own Communion who  
live in the bosome of the Roman Church,  
do not believe; as the Councells of *Con-  
stance*, and *Basile*, and *Pisa*, the Schoole of  
*Sorbon*, and very many others every where  
who do all reject it, some more some lesse.  
The maine difference and almost the  
whole difference between him and me, is  
concerning Coactive power, in the Exte-  
riour Court, over the Subjects of other  
Princes, against their wills; this is so far  
from being vniversally believed, through-  
out all places of the Roman Communion,  
that it is practically received in few or no  
places, further then it seemeth expedient  
to Sovereign Princes. If the Pope himself  
did believe, that he had such an absolute  
Sovereignty of Monarchicall power, in the  
exteriour Court by Christs own Ordina-  
tion, to him and his Successors, How  
could

could he alienate it from his Successors almost wholly to the Princes of *Sicily*, and to their Heirs for ever, within that Kingdome: Or how could the Princes retein it? If the King and Kingdome of *France* did believe, that the Pope had such an absolute Monarchicall power, in the Exteriour Court, by Christs own Ordination; how could the King of *France* forbid the Popes Legates without his License, or restrain their Legantine Commissions by his Parliaments, or sweare them to ad nothing contrary to the Liberties of the Gallican Church, and to cease to execute their Commissions whēsoever the King and Kingdome should prohibit them, or reject Papall decrees further then they are received in that Kingdome? Or if the Councell of *Brabant* did believe it, how could they forbid the Subjects to repaire to *Rome* out of their own Country, upon the Popes Summons? All men know that there is no Privilege or Prescription against Christs own Ordination. *Qui pauca considerat, facile pronunciat.* This is ever the end of his Contradictions.

Lastly he Chargeth me for omitting to answer to his reason, that *the renouncing the Pope is essentiall to Protestantisme*. Truly I neither did nor do hold it worth answering.

Cannot he distinguish between

the whole Essence of any thing, and one Essentiall? He might as well affirm, that he who believeth but one Article of his Creed is a Christian. This requireth no great skill to explicate it: but I have remitted this Controversy to the Reader as fittest for his determination.

### *Sect. III.*

*That Henry the 8. made no new Law:  
But onely vindicated the ancient  
Liberties of England.*

CHRISTIAN Reader thou hast seen hitherto, how *Mr. Serjeant* hath failed altogether to make good his pretensions: and in stead of those great mountains of Absurdities, and falsifications, and Contradictions which he promised, hath produced nothing worthy of so weighty a cause, or an ingenious Schollar, but his own wilfull ridiculous mistakes. We are now cometo his third Section, wherein thou maiest seethis young *Phaeton* mounted in his Triumphant Chariot, driving the poore Bishop as a Captive before him: now expect



expect to see him tumbling down headlōg, with a fall answerable to his height of pride and insolence. He professeth himself willing to stand to the Award of the most partiall Protestant living, who hath so much sincerity as to acknowledge the Suns shining at noone day, or that the same thing cannot both be and not be at once. If after this lowd confident bragge; he be not able to make any thing good that is of weight against me, he hath forfeited either his Iudgement, or his ingenuity, and deserveth not to be a writer of Controversies. I need no partiall Iudges, but appeale to the indifferent Reader of what communion soever he be: he needeth but to compare my *Vndication* his Answer, my Reply his Rejoinder, and my Surrejoinder together in this one short Section, and give sentence readily who is the *Mouniebanke* and *Prevaricator*.

And first I challenge this great Champion of downright Cowardise, as great as ever his Predecessour *Thraso* shewed in the Comedy; in smothering and concealing palpably and shamefully his Adversaries reasons, and declining the heat of the assault. The maine subject of this Section, was to shew that the ancient Kings of

*En-*

*England*, did assume as much power in Ecclesiasticall affaires as Henry the eighth did, that the Lawes of Henry the eighth were no new Lawes, but onely renovations and Confirmations of the ancient Lawes of *England*, which had never bene repealed or abrogated in the dayes of his Predecessors, but were of force in *England* at that very time when he made his Lawes; As the Statutes of *Clarendon*, The Statute of *Carlile*, The *Articles of the Clergy*, The Statutes of *Provisors* and other old Lawes made in the time of Henry the first, Henry the third, *Edward* the first, and *Edward* the third, *Richard* the second, Henry the Fourth, all of them dead and gone many ages before Henry the eighth was born. I shewed particularly, that they suffered not the Pope to send for any English Subject out of *England* to *Rome* without leave, nor to send any Legate into *England* without leave, nor to receive any Appeale out of *England* without leave. They made it death, or at least the forfeiture of all a mans estate, to bring any Papall Bulls or Excommunications into *England*. They called Ecclesiasticall Councils, made Ecclesiasticall Lawes, punished Ecclesiasticall persons, prohibited Ecclesiasticall Iudges, received Ecclesiasticall

Appeales , made Ecclesiasticall Corporations , appropriated Ecclesiasticall Benefices , rejected the Popes Lawes at their pleasure with a *Nolumus* ; wee will not have the Lawes of *England* to be Changed , or gave Legislative Interpretations of them as they thought fit. All this I have made evident out of our ancient Lawes , our Records , our Historiographers ; in my Vindication , in my Reply , and in this Treatise. And therefore I might well retort upon him his own Confident bragge , that it is *as cleare as the suns shining at noone day*, or *that the same thing cannot be and not be at once* ; that our Ancestours who did all this and much more then this , did acknowledge no Monarchicall power of the Pope in the Exteriour Court , by Christs own Ordination , as *Mr. Serjeant* asserteth ; and that they did exercise as much power in the externall Regiment of the Church , as *Henry* the eighth did ; and that *Henry* the eighths lawes were no new lawes devised by himself , but were the lawes of these ancient Kings renewed by him , or rather the Fundamentall Lawes and Liberties of *England*, exposed by these ancient Kings as a Buckler against the Encroachments of the Roman Court.

Now

Down  
Derry  
pa 311.

Now to all this cleare evidence what answer doth *Mr. Serjeant* make? Iust *Thraso*. like, when the matter comes to push of pike he sneaketh away *post principia*, into the securest place he can find. Speak the truth in earnest, did *Pyrrhus* use to doe thus? It is not possible to squeeze one word of particular answer out of him: onely in generall he saith *I bring divers allegations, wherein the Popes pretenses were not admitted &c.* And so proceedeth, doe we professe the Pope can pretend to no more then his right &c.? Lawes and Records are but bare *Allegations* with him: and prohibiting under pain of Death or Confiscation of Goods, is no more but *not admitted*. Speake out man and shame the devill; whether did the Pope pretend more then is right or not? whether were the anciēt English Lawes just Lawes or not? This is certain, his Pretensions and these Lawes cannot both be just. The very substance of his Monarchicall power in the exteriour Court, is prohibited by these Lawes, his Sovereign power or Patronage of the English Church, his Iudiciary Power, his Legislative Power, his dispensative Power, all are lost if these Lawes stand. All which *Mr. Serjeant* blancheth over with this generall expression, *such and such things*. Will the

the Court of Rome thank *such and such* an Advocate, who forsakes them at a dead lift? I trow no.

And although I called upon him in my reply, for a fuller and more satisfactory answer to these Lawes: yet he giveth none in his Rejoinder, but shuffleth up the matter in Generalls. *As for his particularities entrenching on, or pretended to entrench on the Popes Authority; whether they were lawfully done or no, how far they extended, in what Circumstances or cases they held in what not, how the Letter of these Lawes are to be understood &c. all which the Bishop Omits, though he expresse the bare words; it belongs to Canon and Secular Lawiers to scuffle about them, not me. I hold my self to the Lists of the Question, and the limits of a Controvertist. Yes, even as Thor also held himself to the Lists, when he stole behind the second wards. This is neither more nor lesse, but flat running away, and crying to the Canonists for help. If the subject be improper for him, why did he undertake it, and not try first,*

*Quid ferre recusent,*

*Quid valeant braveri.*

Why did he undertake it with so much youthfull Confidence and insulting scorn and petulance, to accuse his adversary of impu-

impudence? And as if *impudence* were too moderate a Character for him, as a profest and sworn enemy of truth shame and honesty; making him worse then a mad man or born foole. And all this for pretending that Henry the eighth did no more against the Papacy, then his Ancestour Kings had done before him: and now when his Cavills are thrust down his own throat, when the *impudence* is brought home to him and laid at his own doore, when the very Lawes of his Ancestours are produced wherein they provided the same remedies for the Roman Court that Henry the eighth did; he would withdraw his own neck ont of the Collar, and leave the defence of his cause to the *Canõ and Secular Lawiers*, to scuffle about the sense of these anciēt Lawes, and whether they were lawfully done or no, and how far they extended, and in what cases they hold in what not. And this is all the answer, which he vouchsafeth to these ancient English Lawes; that is as much as to say he knoweth not what to answer, or it doth not belong to him to answer: and this he calleth holding himself to the Lists of the Question, but all other men call it leaping out of the Lists of the Question, and a shame full

full deserting the cause he had undertaken to defend.

I ever acknowledged that *Henry* the eighth made sundry new Statutes against the Vsurpations of the Court of Rome; but I adde that these Statutes were declarative of old Law, not Enactive of new Law. This is as cleare as his noone day-light. And I proved it by the Authority of two of our greatest Lawiers, *Fitz Herbert* and my Lord *Cooke*, persons sufficient to know the difference between a Statute declarative of old Law, and a Statute Enactive of new. Secondly, I proved it by one of the Principall Statutes themselves: those terms of Law which declare old Law, are not the same with those which enact new Law. This prooffe is demonstrative. He urgeth, *if there were something new, it was new, and a Statute we Englishmen use to term a Law.* So if he new turn his Coat, there is something new, yet we English men say his Coat is and old Coat for all that. *Magna Charta* or the great Charter of England is an old Law, yet it hath been renewed or newly declared by almost every succeeding King. New Statutes may declare old Lawes.

He



He saith I cite two Protestants Fitz-Herbert and my Lord Cooke, both of mine owne party, to speake in behalfe of Protestants. I cite no Protestants as Protestants, nor to speak for Protestants, nor as witnesses in any case in difference between Protestants and Papists: but I cite two great English Iudges as Iudges, to speake to the Difference between a Declarative Statute and an Enactive Statute by the Law of England; and who could be so proper witnesses of the Law of England as they. Secondly who told him that *Fitzherbert* was a Protestant? No more a Protestant then himself; for any thing that ever I could perceiue. He was a great Iudge, lived in *Henry* the eighths time, and writ sundry workes. Where he setteth down the Charge against a Papist, he doth it in such a manner that it can hurt no man, except he will confesse himself to have done what he did *obstinately* and *maliciously*: but where he setteth down the charge of a Iustice of Peace against Hereticks or Lollards, he giveth it home. But *Mr. Serjeant* hath the art to make Protestants or Papists, of whom he list, so it serve his present turn. Thirdly, though *Fitzherbert* and my Lord Cooke had said nothing, yet the case is as cleare as the light, that this

*Fitz  
Herbert  
the charge,  
pag. 111. &  
p. 129.*

this very Statute is Declarative of old Fundamentall Law not Enactive of new Law.

And this I prove first by view of the Statute it self. He that hath but half an eye in his head, may easily discern the difference between an Enactive Statute and a declarative Statute. An Enactive Statute looketh onely forward to the time to come, and medleth not at all with the time past; but a declarative law looketh both wayes, backwards and forwards, forward to the time to come and backward to the time past. Again, the very from and tenour of the words is not the same in an Enactive Statute and in a Declarative Statute; An Enactive Statute regardeth onely, what shall be, but a Declarative regardeth what is and what hath been; an Enactive Statute createth new Law by the authority of the present Lawgiver, a Declarative Statute confirmeth old Law, and is commonly grounded upon the Fundamentall Constitution of the Kingdome. Now then let us take 24. *He.* a view of this very Law. By divers old 8. *cap.* *authētick histories and Chronicles it is manifestly 12.* declared, that this realm of England in an Empire and so hath been accepted in the world, governed by one supreme head and King &c. unto whom a body Politick compact of all sorts  
and

and degrees of people, divided by names of Spirituall and Temporall, owe next to God a naturall obedience, he being instituted by the goodnesse of God, with plenary power to render finall justice for all matters. You see plainly that this Statute looketh both wayes forward and backward, and doth not onely create new Law, but also declare what hath been, what is, and what ought to be the perpetuall Law of England. By diverse old authentick Histories and Chronicles it is manifestly declared &c. ; then it is manifest that this is a declarative Law.

He saith, I quote the Schismaticall King himself and the Schismaticall Parliament to speake in their own behalf. By his leave, he is mistaken, I ground not my reason upon the Authority of the King and Parliament, but upon the form or tenour of the Statute, whether these words doe contain the form of an Enactive Statute or a Declarative Statute. Secondly, if I did so, yet he hath no reason to complain of it, who maketh the Pope and his Councell to be the last Iudge in his own case. Thirdly, I shall be bold to scrue up this pin a note higher, and tell him that if Henry the eight did make himself the last Iudge, in those differences between him and the Papacy, which

which concerned the Church and Kingdome of *England*, he did no more then many other Christian Kings and Princes have done before him; as I have shewed in the Empire, *Spain*, *Italy*, *Brabant* &c. Fourthly, if that which was decreed in this Law, was decreed in former Lawes standing in full force and unrepealed, then it is not Enactive of new Law, but Declarative of old Law: but I have produced him the Lawes themselves, wherein the self same things have been decreed, and he turneth his back upon them, and referreth us to the Canonists for an answer. Lastly, it is so far from being true, that those Statutes made by *Henry* the eighth were new Lawes, that those ancient Statutes of *Clarendon*, of *Carlile*, the *Articles of the Clergy*, the Statutes of *Provisors*, were no new Lawes when they were made: but new declarations of the Fundamētall Lawes of *England*, or of the Originall Constitution of the English Empire; as appeareth undeniably by the Statutes of *Clarendon*, the Statute of *Carlile*, and the Statutes of *Provisors*; wherein the same truth is affirmed as positively as I can do it.

But now, Reader, wilt thou see a convincing prooffe, of the extreme carelesnesse and unconscionable olscitance of this great

Champion ; who writeth his answers at Randome , and never so much as readeth what is objected against him. I cited two Statutes , the one of 24. Hen. 8. cap. 12. the other of 16. Ric. 2. cap. 5. The Printer citeth them right in the margent , but a little confusedly : but when *Mr. Serjeant* commeth to answer them, he confoundeth them indeed , attributing *Richard* the seconds Statute to *Henry* the eighth. And lest any man should excuse him and say it was the fault of the Printer , heare him; *he alledgeth another Statute made in the 24. of Henry the 8. Yes, well guessed; otherwise called the 16. of Richard the second. And a little after , what matters it what this Statute sayes, being made two yeares after his unlawfull marriage with Anna Bullen ? I know not where he learned this , except it was from the old Puppet player , who would have Queen Dido to be Richard the thirds Mistresse ; he might perchance have such another odde Fancy that Richard the second was Anne Bullens Servant. That which I observe in earnest is this , that he answereth at Random to he knoweth not what , and never peruseth that which is objected against him. If it had been some rare piece that was cited that he could not have come by it , it had bene*

bene the more pardonable : but it is an English Statute which he might have found in every Bookebinders Shop , in every Lawiers Study, in every Iustice of Peaces Clofet. And yet he is as confident as *Gawen*; the best Statute he could pick out you may be sure. How doth he know that ? We all see he never read it , nor knoweth whether it be a Statute or no. Then he telleth us, *there is not a Syllable in it concerning Spirituall Iurisdiction*. Well guessed by Instinct ; but for once his Instinct hath deceived him ; if Excommunication be any part of *Spirituall Iurisdiction* , there is more then one Syllable of Spirituall Iurisdiction in it. But concerning our English Statutes both ancient and new , which concern the casting of Papall Authority out of the Kingdom, I have given him a full satisfactory account formerly , to which I refer him.

We have seen how carelesse he is in reading over Lawes before he answer them : Now let us observe the same Oscitance or want of Ingenuity towards his Adversary , that he may learn what he gets by his Falsifications

*Nempe hoc quod Veneri donata a virgine puppa.*

Reall falsifications retorted upon him in  
 stead of his feigned ones. He answered *that*  
*to limit an Authority, implies an admittance*  
*of it in cases to which the Limitation extends not.*  
 I replied, that these ancient Lawes of *En-*  
*gland* did not onely limit an Authority, but  
 deny it, that is deny it in such and such ca-  
 ses mentioned in the Lawes, deny it Co-  
 actively in the exteriour Court without the  
 leave of the Sovereign Prince. So the  
 Lawes may differ, the restraints may differ,  
 the leave may differ in degrees, according  
 to the difference of places; notwithstanding  
 this denyall. That which he beareth  
 at is this, that *we deny all Papall power what-*  
*soever; but other Churches do onely limit it.* I  
 answer, we doe not deny the Bishop of  
*Rome* all manner of power; We deny him  
 not the power of the Keys, we deny him  
 not any power purely Spirituall, we deny  
 him not his beginning of Vnity, if he could  
 he contented with it: but we deny him all  
 Coactive power in the Exteriour Court  
 over the Subjects of other Princes, without  
 the Sovereigns leave. If some Princes give  
 more leave then others, as finding it more  
 expedient for their affaires; we doe not  
 envy it.

But he urgeth, that *I do not deny equivalent*  
*Lawes*



*Lawes in France Spain Germany Italy. I nei. Reply*  
 ther deny it nor affirm it, or I affirm it onely *pa. 21.*  
 in part [Yes, there are some such Lawes in  
 all these places by him mentioned, per-  
 haps not so many, but the Liberties of the  
 French Church are much the same with  
 the English]. Some such Lawes, not so many,  
*much the same*, are no proofes of *Equiva-*  
*lence*: or if he will call them *Equivalent*, it is  
 onely *secundum quid* not *simpliciter*, respecti-  
 vely in some cases not vniversally in all  
 cases. But he hath another place, which  
 striketh home, where I affirm that [the like *Vind.*  
 lawes may be found in *Germany, Poland, pa. 73.*  
*France, Spaine, Italy, Sicily*, and if we will  
 trust *Padre Paolo*, the Papacy it self]. But did  
 either I or *Padre Paolo*, speak of those anciēt  
 English lawes by me cited, made to restrai-  
 ne the Vsurpations of the Bishops of *Rome*?  
 So he saith, but it is a grosse Falsification.  
 I did neither speake of them in that place,  
 nor *Padre Paolo*: but we both speake of  
 another Law of a quite different nature  
 from these, that is the Law of *Morimain*, a  
 Law meerly Politicall to restrain men from  
 giving Lands to the Church without Li-  
 cense. Of this I said there are found like  
 Lawes to it in *Germany, Poland, France,*  
*Spain, Italy, Sicily*, and *Padre Paolo* addeth in

the *Papacy it self*. What an Adversary have I to deale with, who either understandeth not what the Law of *Morimain* is, or regardeth not how he falsifieth his Adversaries words?

But from these mistaken and mishapen premisses he draweth ten Conclusions, every one of them driving me to a Contradiction or Absurdity at least. The first second third and fourth are the same in effect, or all comprehended in the first, that *it is opposite to the generall opinion of the whole world, Catholicks, Protestants, Puritans*. Secondly, that *it is against the profession of the Protestants, who extoll that happy time when England was freed from the yoke of Rome*. Thirdly, that *it contradicts our Reformation in the point of the Popes Supremacy, there could be no Reformation of that which was not otherwise before; and therefore Henry the eighth added something of his own to these ancient Lawes*. Fourthly, he saith that Doctor Hammond acknowledgeth, *that Papall power was cast out of England in Henry the eighths dayes*. And the sixth is, that *this Position is particularly opposite to the Common consent of the Catholick Countreies, who all looked on Henry the eighth and the Church of England ever since as Schismaticall*. Doubtlesse he meaneth Roman Catholick Countreies. Was it not enough to

say that it was Contrary to the Generall opinion of the whole world, unlesse he added Protestants, and Reformers, and *Doctor Hammond*, and Roman Catholicks, as if they were none of the world? Reader, I undertooke to prove that Hēry the eighths Lawes against the Vsurpations of the Roman Bishop, were no new Lawes, but ancient Lawes of *England*; I have done it by producing the ancient Lawes themselves, five or six hundred yeares old: and I am yet ready to shew further, that they were no new Lawes then, but the Fundamentall Lawes of *England*, derived from the first founding of the British and English Churches, as to the substance of them. To all my premisses or *particularities* (as he calleth them) he hath been able to answer nothing, but *leaves them to the Canon and Secular Lawiers to scuffle about them*: but he utterly denyeth my Conclusion, what an absurdity that is, he is not ignorant.

But alas! what doth the world know of the Municipall Lawes of *England*, untill we instruct them better? and what Opinion can Forreiners have of us, but what they learn from him and his Fellowes? We acknowledge with *Doctor Hammond*, that Papall Vsurpations were cast out of *England* in Henry the eighths time: but we adde, not  
by

by the Creation of new Lawes, but by the vigorous execution of the ancient Lawes, being first renewed and confirmed by himself. We acknowledge that *Henry* the eighth did finally shake of the yoke of *Rome*, which could not have been done, if there had been nothing to have been shaken of or reformed: but this doth not hinder but that his Predecessors did attempt to shake it of long before, even at the first appearing of it; yea and did actually shake it of, for a time, in a great part,

His fifth Objection is, that *according to me the Lawes made by Henry the eighth, did no more then the former Lawes.* Where did I say so? untill he is able to shew it me, (which I shall expect at the Greek Calends,) I shall score it up among his lesser Falsifications. And for his inference which he makes, that *he never heard it pretended, that they did shake of the Roman yoke in part, or for a time, therefore they did it not;* it sheweth but his ignorance in the Lawes and histories of his native Country. If he had perused them diligently, he might have observed how the Court of *Rome* and Crown of *England*, were long upon their Gards watching one another; and the one or the other gained or lost mutually, according to the Vigour of their

pre-

present Kings or Popes, or according to the exigence of the times.

His seventh Objection, that *the like Lawes to ours in England were made in the Papacy it self, but those could not be against the Popes Headship of the Church*: and his tenth Objection that *then there never was a Papist Country in the world, because equivalent Lawes to ours were made in France Spaine Italy Sicily Gormany Poland, &c*: and his answer to my demand [what law full Iurisdiction could remaine to the Pope in England, where such and such Lawes had force?] *The same that remaines still to him in France Spaine Italy where the like lawes are in force*, in his last paragraph; are a dish of unfavoury mushromes, all sprung up from his own negligent mistake or wilfull Falsification (let him chuse whether he will) in confounding the *Vind.pa* Lawes of *Mortmain* with the other La- 71.  
 wes against the Popes Vsurpations; Which I distinguished exactly both at *Vind.pa* the beginning of that discourse [the Sta- 74.  
 tute of *Mortmain justified*] and at the Conclusion [*But to leave this Digression.*]

But besydes this grosse error, there want not other inconsequences and fallacies in his discourse; as in his seventh Objection from the Popes particular Head-

Headship of his own Church, to an Universal Headship over the Catholick Church, and from an Headship of order to a Monarchicall Headship of power; and in his tenth Objection from [like lawes] to the same Lawes, from Lawes made to Lawes duely observed. We had Lawes made against Non-conformists in *England*, will he conclude thence that we have no Non-conformists in England? the Argument would hold better the Contrary way, *Ex malis moribus bona leges*. And in his last Paragraph, from Coactive Iurisdiction in the Exterieur Court to Iurisdiction purely Spirituall in the Court of Conscience; and from Coactive Iurisdiction with the leave of the Prince to the same without Leave. Wee see all Roman Catholick Countries, doe stint the Popes Coactive Iurisdiction over their Subjects more or lesse, according to their severall Liberties, which they could not doe at all, if he held it by Christs own Ordination.

His eighth Objection, that *upon this new Law made by Henry the eighth, England stood at another distance then formerly from Rome*; is a Fallacy *non causa pro causa*, when a false cause is assigned for a true cause. Our just Lawes are not the right cause of our distance

distance from *Rome* : but the Popes unjust Censures, and that Character which some of our Countymen give of us. But this distance is greater among the Populacy then between the Estates, who do not much regard the Popes Censures either in making or observing of Leagues.

To his ninth Objection in his order, and his last in my order, that this *Position takes away the Question*, and makes all the Controversists in England on both sides talke in the aire, because it makes the Pope to have had no Authority there to be cast out. I answer, I wish it did, but it doth not. The Pope had Authority there, and Authority usurped fit to be cast out, notwithstanding our former good Lawes. But yet I must confesse this Position doth much change the Question, from spirituall Iurisdiction in the inner Court to Coactive Iurisdiction in the exterior Court, and makes him and many other such Controversists talk in the aire, who dispute onely about Headships and First Moverships, when the true Controversy lieth in point of Interest and profit.

*Sect.*



## Sect. 4.

*That the Britannick Churches were ever exempted from forreign Iurisdiction, for the first six hundred years, and so ought to continue.*

**A**fter I had shewed the Equality of the Apostles, except onely a Priority of Order; and that the Supremacy of power did not rest in any single Apostolicall Colledge; that Nationall Patriarchs were the highest Order constituted by the Apostles in the Church; and how some Patriarchs came to be advanced above others, with the true dignity or Preheminence of Apostolicall Churches: the summe of all the rest of this Section might be reduced to a Syllogisme.

Those Churches which were exempted from all forrain Iurisdiction for the first 600 years, cannot be subjected to any forrain Iurisdiction for the future against their own wills.

But all the Britannick Churches were ever exempted from forrain Iurisdiction for the first six hundred years.

The

The Major Proposition was proved by me undeniably, out of the first Generall Councell of *Ephesus*; to which *Mr. Serjeant* hath objected nothing. Next I proved the Minor. First by Prescription. *Affirmanti incumbit probatio*; The burthen of the prooffe in Law resteth upon the Affirmer; but they are not able to shew so much as one single act of Iurisdiction, which ever any Bishop of *Rome* did in Brittain for the first six hundred yeares. Secondly, I proved it from the Antiquity of the Britannick Church, which was ancients then the Roman it self, and therefore could not be subject, to the *Romā from the beginning*. Thirdly, because the Britannick Churches sided with the Eastern Churches against the Roman, and therefore were not subject to the Roman. Fourthly, because they had their Ordinations ordinarily at home, which is an infallible sign of a free Church subject to no Forrein Iurisdiction. Lastly because they renounced all Subjection to the Bishop of Rome. I am forced to repeat thus much to let the Reader see the contexture of my discourse, which *Mr. Serjeant* doth whatsoever he can to conceale, or at least to confound and disjoint.

Out

Vind.pa  
24.

Out of this he picketh here and there what he pleaseth, First he pleadeth *that my Title is the Vindication of the Church of England: but the Church of England can derive no title from the Britannick or Scottish Churches.* He never read or quite forgetteth the State of the Questiō. I will help his memory. Let him read the Vindication [by the Church of England we understand not the English Nation alone, but the *English* dominion, including the British and Scotish or Irish Christians]. So at unawares he hath yielded the Bishopricks of *Chester, Hereford, Worcester* (for all these were Suffragans to *Carleon*), *Wales, Cornwall, Ireland, Scotland* with all the adjacent Ilands, that is to say, two third parts of the English Dominion.

Secondly, he pleadeth *that for this many hundred yeares they acknowledged the Popes Authority as well as the Church of England.* I answer, that this will doe him no good nor satisfy the Generall Councell of *Ephesus* at all, which hath decreed expressely in the case of the Cyprian Prelates, and they Command the same to be observed in all Provinces, *that no Bishop occupy another Province, which formerly and from the beginning was not under the power of him or his Predecessors, and if any*  
doe

doe occupy another Province (that in this case) *(council.*  
 let him restore it, that the Canons of the Fa- *Ephes.*  
 thers be not sleighted. But they who never ex- *part 1:*  
 ercised one Act of Jurisdictiō in the Brittan- *Act: 7.*  
 nick Iland for the first 600 years, cannot  
 pretend that it was under their power, in  
 the time of the Councell of *Ephesus* or long  
 after. It was not for nothing that he con-  
 cealed the words of the Councell.

Yet he asketh, *what do the Scots concern the*  
*Church of Englands Vindication?* Do they  
 not? Are not the Scots a part of the Bri-  
 tannick Ilands, and so comprehended under  
 the name of the Church of *England* in this  
 Question? Besides he must know that I  
 challenge some Interest among the Irish  
 Scots, from whom I derive my Episcopall  
 Orders. Against the Irish Ordination  
 never any man had any pretense of Excep-  
 tion to this Day. The Irish were the an-  
 cient and principall Scots, and the Britan-  
 nick Scots a Colony derived from them.  
 That they are the ancient Scots, who did  
 join with the Britons in not submitting to  
 the See of Rome, I shall shew him clearly  
 from the Authority of *Lawrence*, Successor  
 to *S. Austin* in his Archbishoprick, and  
 the other English Bishops of that Age, in  
 their Letter to the Bishops of Scotland,

To

*Bede* To conclude he tooke not onely Care of the new  
*hist. Ec.* Church collected of the English, but of the old  
*lib. 2.* Inhabitants of Britain, and also of the Scots  
*ca. 4.* who inhabit Ireland, the next Island to Bri-  
 tain. For assoone as he knew that their life  
 and profession in their Country, was like  
 that of the Britons in Britany not Ecclesia-  
 sticall &c. That is to say not Roman.  
 He seeth I had some reason not to leave out  
 the Scots.

Besides the Britons the Scots and the Irish,  
 I urged that [the great Kingdomes of *Mor-*  
*cia* and *Northumberland* were converted by  
 the Scots, and had their Religion and Or-  
 dination first from the Scots, afterwards  
 among themselves, without any forrein de-  
 pendence, and so were as free as the Bri-  
 tons]. He saith *all the force lieth in these words*  
*[without any Forrein dependence] wich I*  
*obtrude upon them without any prooffe.* His mi-  
 stakes are infinite, my prooffe is Demon-  
 strative, They who had their first Ordina-  
 tion from the Scots, and ever after were  
 Ordeined among themselves, never had any  
 Ordination from the Bishop of *Rome*, and  
 consequently were never subject to the  
 Iurisdiction of the Bishop of *Rome*: For it  
 is a Maxime in the Law, and is most evi-  
 dent in the case of the Cyprian Bishops in  
 the Councell of *Ephesus*, that the right of  
 Iuri-

urisdiction doth follow the right of Ordination. And if it were not so, yet what man in his right wits could Imagin, that the Scots who were the Converters, should renounce Subjection to the Bishop of Rome themselves, and teach their Converts the Mercians and Northumbrians to submit to the Bishop of Rome

But if I had said no more, but onely that they were without any forrein dependence, it had been enough on my part. It belongeth not to me to prove a Negative, and such a continued Negative as this is: but the burthen of the prooffe resteth wholly upon him, both in reason and Law, to prove his Affirmative, that the Mercians and Northumbrians did depend upon the Bishop of Rome in those dayes, in point of practise, for Ordination and Jurisdiction; which he is not able to doe. What he addeth, that *I said Ordination is nothing at all to Jurisdiction*, is for want of Vnderstanding, because he is not able to distinguish between the right of Ordination, and the Act of Ordeining. We attribute to the Scots the Act of Ordeining, not a Superiour right of Ordination.

In the next place I urged, that [a world of British Christians staid behind among the Saxon Conquerours, every where all over

*England*, such whom they had no cause to feare for their power Activity or Influence upon others ; which poore Conquered Christians had a right to the just Privileges of their Ancestours]. He would perswade us, First that *all of them or all except some few fled into Wales or Cornwall*. What to do ? To be repacked there as herings ? Or like Camelions to live upon the aire and leave all the rest of the Kingdome desolate ? It was not ten, or twenty, nor a hundred, nor a thousand little Vessells, could bring over Saxons enough with their wives and Children and Servants, to plant the Kingdomes of *England*. We see dayly, that the very Armies of such Conquerours, doe consist for the greater part of Natives, and that it is not their forrain Numbers, but their Military Skill and resolution which gaineth them the Victory. Looke upon all the Kingdomes of the world, *Italy, Spain, France, England, &c.* and what are they but mixed Societies, of Forreiners and Natives, Conquerers and Conquered persons, now iucorporated with little or no distinction, by long Tract of time. After the Norman Conquest, hundreds of English inhabited *England* for one Norman. In the beginning of the late Insurrection in *Ireland*,

not-



norwithſtāding thoſe great numbers which came over daily into *Ireland* and *Scotland* to ſeeke for Plantations, for thirty or forty yeares together, yet there were ten Irish, for one English and Scotch; and yet we do not find that theſe Saxon warres were ſo bloody as the Irish warres, or that either they perſecuted the perſons of the Britons with Cruelty, or ſo much as demolished their Churches.

But he ſuppoſeth, that if there were any ſuch *British Christians*, yet they became ſubject to the Pope. I believe ſome of them were ſubject to the Pope as to the Biſhop of their Mother Church, and all of them as to the Biſhop of an Apoſtolicall Church, that is, to be guided by his grave adviſe and direction: but I deny that ever the Saxon Biſhops were ſubject to the Pope, as to an abſolute Monarch by Chriſts own ordination, or that the Pope enjoyed the Sovereign Patronage of the Saxon Church, or the Supreme Legislative Iudiciary or diſpenſative power over it. This the Saxon Kings and their Biſhops under thē ever enjoyed, as the Britons did before them: and this is all which our Kings deſire, or we claime for them. If he have any thing to ſay to this point, let him bring Authorities not words.

He saith, *This is all one as if some few men selling by accident in France, should pretend an exemption from the French Lawes, and expect English Privileges.* Nay, it is cleare contrary, as if some French men comming into Britaine, and planting and propagating there, should expect the British Privileges to their Posterity. So the Saxons planting in Britain, so soone as their Posterity was capable of them by becomming Christians, might justly claime the Liberties and Privileges of British Christians.

I said [the Saxon Conquest gave them as good title to the Privileges as to the Lands of the Britons], He stileth it, *a rare reason, as if I meant that Ecclesiasticall Jurisdiction, were a thing of that nature to be won by the sword.* Or rather as if he meant Coactive Jurisdiction in the Exteriour Court, and Jurisdiction purely Spirituall which Christ left unto his Church, is all one. I doe not mean that power purely Spirituall is to be won by the Sword: but I believe that exemption from Coactive power in the exteriour Court is to be won by the sword. So the Scots eased the Archbishop of York of the trouble of a great part of his Province: So just Conquerours may, and doe often change the Externall Policy of the Church, for the publick good.

He

He bids me, *shew that the English Bishops were impowered by the British Bishops, or else let me confesse that they could inherit no Privileges from them.* I can shew him that I myself was impowered, and did receive my Episcopall Ordination from the ancient Scotch Bishops by an uninterrupted Succession; And many English Bishops have received their orders mediately, or immediatly, from the British Bishops.

I said most truely, that *before he can allege the Authority of the Councell of Sardica for Appeales to Rome, he must renounce the divine institution of the Papacy, or at least the divine right of the Bishop of Rome to the Papacy: because that Canon submitted it to the good pleasure of the Fathers, and grounded it upon the Memory of St. Peter, not the Institution of Christ.* The reason of this Consequence is most evident. For the Councell of Sardica would not, nor could have submitted that which is the Popes right, by Christs own Ordination, to the good pleasure of the Fathers, whether he should have it or not; nor would have assigned their respect to the Memorie of Saint Peter, for a ground of that for which they had the Commandement of Christ: But the Councell of Sardica did submit  
T 3 the

the Popes right to receive Appeales, to the good pleasure of the Fathers, *Placetne?* doth it please you that we honour the memory of St. Peter? Therefore, they did not hold this right of the Pope to receive Appeales, to be due to the Pope by Christs own Ordinance or Commandement: This he is pleased to call, *a flat Falsification of the Councell,* there being not a word in it, either concerning Papall power it self or its institution, but concerning Appeales onely. I am grown pretty well acquainted with his Falsifications. Did I say there was any thing in the Councell, concerning the Papacy or Institution of it? If I did, let him tell us where and when, or els it is his own Falsification. But by his own Confession, there is something in the Councell concerning Appeales to the Pope, and this is submitted by the Councell to the good pleasure of the Fathers, and no higher ground assigned for it, then the respect to the Memory of *St. Peter*: yet this right of receiving Appeales is made by him and all his Partakers, an Essentiall Branch of Papall power. Therefore if he and his Partakers say true, the Councell of *Sardica* did submit an Essentiall Branch of Papall Power, (or Papall power in part,) to the good pleasure of the Fathers; which is as much

much as to say they held it not to be of divine Institution. By this time I hope he understandeth my meaning better.

He presumeth, that some British Bishops sate in Councell of Sardica; it may be Athanasius intimateth as much. He presumeth that they assented to the Sardican Canon about Appeales. It may be, or it may not be. I should rather assent to their voting to acquit Athanasius, who testifieth of them that they were right to the Nicene Faith. But surely among all the Subscribers in the Sardican Councell, there is not one British Bishop named. And in the Synodall Letters of the Councell it self, wherein they reckon all the Provinces, Britain is not named. But what is the right of receiving Appeales, to an Vniversall Monarchy, or the decree of a Councell, to Christs own Ordination? If we would be contented to abrogate our old Lawes, and give the Bishop of Rome leave to execute that power which the Sardican Fathers did give him, he would scorn it, and much more their manner of giving it, *Si vobis placet; if it please you, or of it seem good to your Charity let us honour the Memory of St. Peter;* as both the Latin and the Greek Edition have it. *Epist. ad Iovinian.*

I said that the Councell of Sardica was no Generall Councell after the Eastern Bishops were departed, not out of any ill will to *Athanasius*, or favour to the *Arrians* (as for *Arrianisme*, the *Sardican* Fathers did no more then the *Nicene* had done before them); but out of another Consideration, because the presence of the five great Patriarchs with their respective Bishops, or at least the greater part of them, was ever more held necessary to the being of a Generall Councell; as *Bellarmino* himself confesseth that the seventh Synod judged the Councell of Constantinople against Images to have been

*Bel. de* no Generall Councell, because it had not Patriarchs enough. If the Councell of Sardica  
*Con.* had been a Generall Councell, why doe  
*li. 1.* *St. Gregory* the great, *Isidore* and *Venerable*  
*ca. 17.* *Bede*, quite omit it out of the number of Generall Councells? Why did *St. Austin*, *Alypius*, and the *African Fathers* sleight it? And which is more then all this, why doe the Eastern Church, not reckon it among their seven Generall Councells, nor the western Church, among their eight first Generall Councells? To conclude, why did the English Church, leave the *Sardican* Councell out of the number of Generall Councells, in the Synod of *Heddesfeld* in the  
 yeare

yeare 680: and embrace onely these for  
 Generall Councells' untill that day, The  
 Councell of *Nice*, the first of *Constantinople*,  
 the first of *Ephesus*, the Councell of *Chal-*  
*cedon* and the second of *Chalcedon*? Here he  
 may see a plain reason, why I say the Coun- *Apud*  
 cell of *Sardica* was never incorporated into *Spelm.*  
 the English Lawes; I would know, whether *an. 680.*  
 he or I be of the old English Religion in *p. 169.*  
 this point; The five First Generall Coun-  
 cells were incorporated into the Law of  
*England*: but the Councell of *Sardica*  
 was none of them, Therefore no Generall  
 Councell. I have given him a further ac-  
 count concerning this Councell Sect. i, c. 7.  
 to which I refer him.

I said, and I said most truely, that the  
 Canons of the *Sardican* Councell touching  
 Appeales were never received in *England*,  
 nor incorporated into our English Lawes.  
 For prooffe hereof, I bring him an evident  
 demonstration out of the Fundamentall  
 Law of *England*, as it is recorded in that fa-  
 mous *Memoriall of Clarendon*: All Appeales  
 in *England* must proceed regularly from the  
*Archdeacon* to the *Bishop*, from the *Bishop* to  
 the *Archbishop*, and if the *Archbishop*  
 failed to doe Iustice, the last complaint must  
 be to the *King*, to give Order for redresse.

Our



Our Ancestours had not so much respect for Pope *Iulius*, nor thought appeales to *Rome* any honour to the Memory of *St. Peter*.

I said, [the Canon of the Councell of *Sardica*, was cōtradiçted after by the Great Councell of *Chalcedon*]. He rejuneth that *I neither thought the words worth citing, nor the Canon where the Abrogation of the Sardican Canon is found worth mentioning*. Pardon me, I said nothing of Abrogation, but I did say it contradicted it: and for prooffe of the truth of what I said, take the very words of two Canons of that Councell, *But if a Clerke have a cause against his own Bishop, or against another Bishop, let him be Iudged by the Synod of the Province: but if a Bishop or a Clerke have a Complaint against the Metropolitian of the same Province, let him repaire either to the Primate of the Diocesse, or the See of their royall City of Constantinople, and let him be judged there*. Wee see every Primate, that is to say, every Patriarch in generall in his own Diocesse or Patriarchate, and the Patriarch of *Constantinople* in particular out of his own Diocesse, is equalled by the Councell of *Chalcedon* to the Bishop of *Rome*. The same in effect is decreed in the seventeenth Canon, that

Concil.  
Chalc.  
par. 2.  
Act. 14.  
cap. 9.

that if there shall happen any Difference concerning the Possessions of the Churches, it shall be lawfull to them who affirm themselves to be grieved, to sue before the Holy Synod of the Province : but if any man be grieved by his Metropolitan, let him be judged by the Primate of the Diocesse, or by the holy See of Constantinople.

I have read those silly Evasions, which your greatest Schollars are forced to make use of, for answers to these downright Canons. Sometimes by Primate of the Diocesse (which signifieth all Patriarchs) they understand the Pope. Do men use such improper expressions, which no man can understand, in penning of Lawes? Is it not a great Condescension for the Visible Monarch of all Christendome, to stoupe to so meane a Title as the Primate of one single Diocesse. But alas, it will do him no good! For if it were taken in this sense, it were the most uniuert Canon in the world, to deprive all Patriarchs of their Patriarchall Iurisdiction, except the Patriarch of Rome and Constantinople. The Councell which is so carefull to preserve the Bishop his right, and the Metropolitan his right, could not be so carelesse to destroy Patriarchall right; or the Patriarchs themselves, who were present

sent at the making of this Canon, so stupid to joine in it.

At other times they tell us that this is to be understood onely of the first Instance, not of Appeales. This is weaker and weaker. What hath a Metropolitan to doe with private causes of the first instance, out of his own Bishoprick? What have the Patriarchs of *Rome* and *Constantinople* to doe, to Iudge causes of the first Instance in other Patriarchates? The case is cleare: if any man be grieved by his Bishop he may appeale to his Metropolitan and a Synod; and if any man be grieved by his Metropolitan he may appeale to his Patriarch, And if this absurd sēse (which they Imagin) were true, yet the Bishop of *Constantinople* might receive Appeales, from all parts of the world, as well as the Bishop of *Rome*. Let them winde, and wrest, and turn things as they can, they shall never be able to reconcile the Papall Pretensions, with the Councell of *Chalcedon*.

I have neither changed my mind nor my note, concerning *Eleutherius* his Letter to King *Lucius*; I did, I doe esteem it to be of dubious Faith. So much I intimated [if it be not counterfeit]. So much he intimated [as much as we have Records in our Histories]

Is it necessary with him to inculcate the same doubt over and over, so often as we may take occasion? Thus far then we are of accord: but in the rest we differ wholly. He is positive, *as much as we have Records,* *Down*  
*the Popes Authority doth appeare:* I am as *Derry*  
 positive, as much as we have Records, the *p. 133.*  
 Kings Authority doth appeare. For if those Records be true, *Eleutherius* left the Legislative part to King *Lucius* and his Bishops. This was enough to answer him.

He addeth, *though our Faith relyeth on immediate Tradition for its certain Rule and not upon Fragments of old Authors*, that is in plain English, upon his bare word without any Authority. How should a man prove ancient Tradition but by Authors? Yet after all this flourish, he produceth us not one old Author but *St. Prosper*, a stranger to our affaires, and him to no purpose: who saith onely what he heard in *Italy*, That Pope *Celestine* sent *St. German* in his own stead to free the Britons from Pelaginisme, and converted the Scots by *Palladius*. If all this were as true as Gospell, it signifieth just nothing. I have shewed formerly that there is no Act of Jurisdiction in it, but onely of the Key of Knowledge. He rejoineth, that he relied on these words [*vice sua*] in his own stead, which

*which sheweth that it belonged to his Office to doe it. Why should it not? The Key of Order belongeth to a Bishop, as well as the Key of Iurisdiction: And more especially to the Bishop of an Apostolicall Church, as Pope Celestine was, and in such a case as that was (the Pelagian Controversy) to testify the Apostolicall Tradition; he was bound by his Office to doe it, and he trusted S. German to doe it in his place. All this is nothing to the purpose; there is no Act of Iurisdiction in the Case, but of Charity and Devotion. Yet if it were not altogether impertinēt to the purpose we have in hand, I should shew him that there is ten times better ground to believe that it was done by a French Synod, then by Pope Celestine; not out of an obscure Author, but out of Authentick undoubted Histories; as *Constantinus* in the Life of S. German, *Venerable Bede*, *Mathew Westminster* and many others. Is it not strange, that they being so much provoked, are not able to produce a prooffe of one Papall Act of Iurisdiction done in Britain for the first six hundred years?*

Here he catcheth hold at a saying of mine, which he understandeth no more then the Man in the Moone, that [all other rights of Iurisdiction, doe follow the right of

of Ordination] which he taketh as though I meant to make Ordination it self to be an Act of Iurisdiction, though I deny it and distinguish it from it. To make the Reader to understand it, we must distinguish between actuall Ordination, and a right to ordaine. Actuall Ordination, where there was no precedent Obligation for that person to be ordeined, by that Bishop, doth imply no Iurisdiction at all: but if there was a precedent right in the Ordeiner to ordein that man, and a precedent Obligation in the person Ordeined to be ordeined by that Bishop, then it doth imply all manner of Iurisdiction, suitable to the Quality of the Ordeiner; as if he were a Patriarch all Patriarchall Iurisdiction, if he were a Metropolitan all Metropolitall Iurisdiction, if he were a Bishop all Episcopall Iurisdiction. And the Inference holdeth likewise on the Contrary side, that where there is no right precedent to Ordein, nor Obligation to be ordeined, there is no Iurisdiction followeth: but I shewed out of our own Histories, and out of the Roman Registers so far as they are set down by *Platina*, that the Bishop of Rome had no right to ordein our British Primates, but that they were ordeined at home; and therefore the

the Bishop of *Rome* could have no jurisdiction over them.

Pa. 1.  
Sect. 6.

I said no more of *Phocas* but this, that [the Popes pretēses were more from *Phocas* then *St. Peter*.] Hé referreth me to his answer to *Doctor Hammond*. And I refer him to *Doctor Hammond* for a reply, as Impertinent to my present businesse.

When I did first apply my thoughts to a sad Meditation upon this Subject, I confesse ingenuously, that which gave me the most trouble was to satisfy my self fully about the Popes Patriarchate: but in conclusion, that which had been a cause of my trouble, proved a meanes of my finall Satisfaction. For seeing it is generally confessed that the Bishop of *Rome* was a Patriarch, I concluded that he could not be a Spirituall Monarch. The reasons of my Resolution I have set down, and received no answer: Yet it shall not seem irksome to me to repeat them, as desiring nothing but the discovery of the truth. First I argue thus, The Sovereign Government and the Subordinate Government, of the same person in the same Society, or body Politick or Ecclesiastick, is inconsistent: But the Popes pretended Monarchy or Supremacy of power over the whole Church, and his Patriarchall



triarchall Dignity in the same Church, are a Sovereign and Subordinate Government of the same person in the same body Ecclesiastick. The reason of the Major is because Sovereign power is single of one person or Society : but this subordinate power is conjoint of fellow Patriarchs. Sovereign Power is Vniverfall, but this subordinate power is particular. And therefore as a Quadrangle cannot be a Triangle, nor a King a Sherif of a Shire or a President of a Province within his own Kingdome : so neither can the same person be an Vniverfall Monarch and a particular Patriarch.

Secondly, the Spirituall Sovereignty of the Roman Bishop is pretended to be by divine right, his Patriarchall power is confessedly by humane right : but a Spirituall Sovereignty by divine right and an inferior dignity by humane right are inconsistent. As it is absurd to say that God should make a man a Prince, and after the people make him a Peer : or God should give him a Greater Dignity, and afterwards the people cōferre a lesse upon him.

Thirdly, a Sovereignty above the Canōs, besides the Canons, against the Canons, to make them, to abrogate them, to suspend them with a *Non obstante*, to dispense with them at pleasure, where the Canon gives

no dispensative power . and a Subjection to the Canons to be able to do nothing against them are inconsistent. But such a Sovereign Power is above the Canons, and such a Patriarchall power is subject to the Canons Therefore they are inconsistent.

All the answer he offereth to these two Instances ; the one that *Bishop Vsher was at once Bishop of Armagh, and as such the Bishop of Derries superiour*. I answer , first he mistaketh much , The Primacy of *Ireland* and the Archbishoprick of *Armagh* are not two distinct dignities, but one and the self same dignitie: but the Monarchicall power of the Pope by divine right , and his Patriarchall power by Humane right , are two distinct dignities. Secondly , the Primate of *Ireland* is not indowed with Monarchicall power ; but all the difficulty here lieth in the Conjunction of Monarchicall power and Subordinate power. His other Instance , *must a person leave of to be Master of his own Family, because he is made King, and his Authority extendeth over all England*. I answer , first his Argument is a transition into another kind , or an excursion from one kind of power to another ; from Politicall power in the Commonwealth to an Oeconomical power in the Family. Secondly it is one thing to make an inferiour person

a King, and another thing to make a King a Constable, or to make Sovereignty and Subordination consist together. When a King doth discharge the place of a Generall of an Army he acquireth no new dignity or power or place, no man calleth him my lord Generall; but he doth it as a King by his Kingly power, to which no higher or larger power can be added: but the Bishop of *Rome* did not, doth not exercise Patriarchall power, by virtue of his Monarchy by divine Ordination, but by humane right; first by Custome or prescription, and then by authority of the Councell of *Nice*. All the world seeth and acknowledgeth that the Bishop of *Rome* hath more power in his Bishoprick then he hath out of it in the rest of his Province; and more power in his Province, then he hath out of it in his Patriarchate, and more power in his own Patriarchate, then he hath in anothers Patriarchate: but if he had a Sovereignty of Power and Iurisdiction by Christs own Ordination, he should have the same power every where; if he had a Sovereignty of Power and Iurisdiction by Christs own Ordination, then all Patriarchall power should flow from him, as from the Originall Fountain of all Ecclesiasticall honour. But the Contrary is most

apparent, that all the Patriarchs, even the Roman himself, did owe their Patriarchall power to the Customes of the Church, and Canons of the Fathers. These are the reasons why I conceive Monarchicall Power and Patriarchall power, to be inconsistent in one and the same persō: But the Pope was cōfessedly a Patriarch, therefore no Monarch.

The next thing which commeth to be observed, is his Exceptiōs to *Dionotus* the learned Abbat of *Bangor* his āswer to *Austin*, professing Canonically Obedience to the Archbishop of *Caerleō* in his own name ād the name of the British Church, and disclaiming all Obediēce except of Brotherly love, to the Bishop of *Rome*. His first exception was the naming of the Bishop of *Rome* [Pope] without any Addition of Name or place, contrary to the use of those times. For āswer I committed him and his Friend *Bellarmino* together, *Whē*

*Bell. li. 2. de Rom. Pont. cap. 31.* the word Pope is put alone the Bishop of Rome only is to be understood, as appeareth out of the Councell of Chalcedon [the most blessed and Apostolicall man the Pope doth command us this,] without adding Leo or Rome or the City of Rome or any other thing. He sleighteth *Bellarmino* and rebuketh me for folly, to think that Catholick writers cannot disagree, and answereth the Councell that though the word [Pope] be alone without Addition, Yet which is equivalent, the

Comitane

*Comitant Circumstances sufficiently indigitate the person. For the words were spokē by Boniface the Popes Vicegerent. As if there were not the same indigitating Circūstances here as well as there, the words being spoken by Austin the Popes Legate and Vicar as well as Boniface, in the name of Pope Gregory to the Britons, which were answered here by Dinob.*

His second exception to *Dinob's* Testimony is, that there was no such Bishoprick as *Caerleon* in those dayes, the See being removed from *Caerleon* to *Menevia* or *S. Davids*, fifty yeares before this. That it was removed before this I acknowledge, but how long before this is uncertain. Some Authors make *S. Gregory* and *S. David*, to have died on one Day some years after this meeting. And it is an usuall thing for Bishopricks to have two names, as the Bishoprick of *Offory* and *Kilkenny* is the same Bishoprick; The Bishoprick of *Kerry* and *Ardferi* is the same Bishoprick. The See of *Derry* was long removed from *Ardstraih* to *Derry*, before it was commonly called the Bishoprick of *Derry*; and so was *Lindesfern* to *Durham*. I produced two witnesses for this very Place of *Caerleon*, that it still retained the old name. The one the British History, *Then died David the most holy Archbishop of Caerleon in the City of Menevia*. And yet it is thought,

that the first removall of the See was made by *Dubrius* to *Landaff*, and after from *Landaffe* to *Menevia* by *St. David*, at whose death it was stiled the Archbishoprick of *Caerleon*. The other witnesse was *Geraldus Cambrensis*, we had at *Menevia* five and twenty Archbishops of *Caerleon* successively whereof *St. David* was the First. He takes no notice of the first Testimony, and puffes at the second and sleights it: but answereth nothing Materiall, but that which will cut the throat of his cause, *Had Caerleons Archbishops* (saith he) *onely for some conveniency, resided at Menevia, and the right of Iurisdiction still belonged to Caerleon, it might more easily be conceived faisible.* Take notice then that the Bishops of *Caerleon* did remove from a populous City in those dayes, (as *Caerlegion* or the City of the Roman Legion was) to *Menevia* onely for the conveniency of a solitary life and contemplative devotion; and it is more then probable that the active part of his Iurisdiction was still executed at *Caerleon*. The See is changed so soone as the Church is builded: but the City will require longer time, to be fitted for Inhabitants and furnished. All that he opposeth to this, is that it was ordinarily called the Bishoprick of *Menevia*. Who doubteth of it?

it? but that doth not prove that it was not also called *Caerleon*. It was First the Bishoprick of *Caerleon* alone, then the Bishoprick of *Caerleon* or *Menevia* indifferently, afterward the Bishoprick of *Menevia* or *St. Davids* indifferently, and now the Bishoprick of *St. Davids* onely. He carpeth at the name of *Caerleon* upon *Uske*. Why so? why not as well *Caerleon* upon *Uske*, as *Kingston* upon *Hull*, or *Newark* upon *Trent*, or *Newcastle* upon *Tine*? Where there are severall Cities of one name, as there were *Caerlegions* or Cities of Roman Legions in Brittain, it is ever usuall to give them such a marck of Distinction.

But why doth he wrangle about names and persecute an innocent paper after this manner? The thing is sure enough, that there was one *Dinoth* a learned Abbat of *Bangor* at that time, who did oppose *Austin*, and stand for the Inrisdiction of his own Archbishop of *Caerleon* or *Menevia*, chuse you whether. Thus much he himself acknowledgeth in this very Paragraph, citing out of *Pitsens*, a booke of this very *Dinoths*, the title whereof was *Defensorium Iurisdictionis Sedis Menevensis* an *Apology for the Iurisdiction of the See of Menevia*. P. 544.



And against whom should this Apology be, but against *Austin* and the *Romans*? no men els did oppose the Iurisdiction of the Bishop of *Menevia*. With this agreeth that *Eccl. of Venerable Bede*, That *Austin* by the help *Hist. l. of King Ethelbert*, called to a Conference (or *2. c. 2. Councell*) the *Bishops and Doctors* of the greatest and nearest Province of the Britons: and began to perswade them with brotherly Admonitions to hold *Catholick* peace with him, to undertake the Common work of preaching to the *Pagans*, for they observed not *Easter* in due time, and did many other things contrary to the Vnity of the Church. The end of this first Assembly was, They would give no assent, neither to the prayers nor exhortations, nor reprehensions of *Austin* and his fellowes, but preferred their own Traditions before all others throughout the Church. And among all their Traditions, there was none which they held more tenaciously, then this inserted in this Manuscript, that is the Independent Iurisdiction of the British Primate, which they never deserted till after the Norman Conquest. To maintaine the Independence of their own Primate, is as much as to disclaime obedience to the Pope.

But this is clearer in their resolution after the second Synod, whereat were seven  
Bri.

British Bishops and very many learned men, especially of the most noble Monastery of Bāgor, whereof that time Dinoth was Abbat; who gave this finall answer to Austins three demands, mentioned here by Mr. Serjeant, *At illi nihil horum se faciuros, neque illum pro Archiepiscopo habiuros esse respondebant*: They answered they would do none of them, nor hold him for an Archbishop. Here wee see Dinoth was Abbat at that time; Dinoth was present at that Councell, and all the Britons did not onely reject those three propositions (which he acknowledgeth): but did moreover in renouncing Austin, disclaime St. Gregories Authority over them, whose Legate he was. What is this lesse then Dinoths Manuscript?

The authour of the old British History called *Brutus*, relateth this answer of the Britons thus; *Se Caerleonensi Archiepiscopo obedire voluisse, Augustino autem Romano Legato omnino noluisse*: That they would obey the Archbishop of Caerleon but they would not obey Austin the Roman Legate. Here he hath expresse testimony of their adhering to their British Primate, and their renouncing Papall Authority, and lastly of the very name of the Archbishop of Caerleon at that day.

To

To the same purpole *Grains* in *Scala Cronica*, and *Grocelinus* in his greater History are cited by *Cains de Antiquu: Acad. Cantab.*

*De Orig & gest. Brit. li. 8. ca. 4.* With them agreeth *Geoffry of Monmouth* who saith there were at least one and twenty hundred Monkes in the Monastery of Bangor, who did all live by the Labour of their own hãds, and their Abbot was called *Dinoth*, marvelously learned in the liberall Arts, who shewed to *Austin* (requiring subjection from the British Bishops, and perswading them to undertake with him the Common labour of preaching,) by diverse reasons, that they did owe him no Subjection, nor to preach to their enemies. Seing they had an Arch prelate of their own &c. And a little after, *Ethelbert King* of the Kentishmen when he see the *Briuns* did disdain to subject themselves to *Austin*, and to despise his preaching, stirred up the Saxon Kings to collect a great Army against Bangor, to destroy *Dinoth* the Abbat, and the oïher Clerkes of that Monastery, who had despised *Austin*. This is the very same in effect with *Dinoth's* Welsh manuscript: and there fore it was no welsh Ballad first made in *Edward the sixth's* time, by some English Schoolmaister to teach welsh boyes English, as *Mr. Serjeant Vapoureth*.

With him agreeth *Giraldus Cambrensis*,  
But

But yet alwaies untill, Wales, was fully sub *Itin:*  
 dued which was done by Henry the first King of Camb.l.  
 the English, the Bishops of Wales were conse- 2.c.1.  
 crated by the Archbishop of Menevia. And  
 he (the Archbishop of Menevia) in like man-  
 ner was consecrated by others, as being his Suf-  
 fragans, without making any Profession of Sub-  
 jection at all to another Church. They all  
 agree in this, the Britons were ἀντιπαλοί  
 loi and αὐτόνομοι, all waies ordained at  
 home, independent upon any forrain Pre-  
 late, ought no subjection to Rome. And *Bede Ec*  
 there fore it is no great wonder, if Pope *Hist. li.*  
 Gregory did not know when he was the fa- 2.c.1.  
 vourite both of the Pope and people, not  
 long before his own promotion to the Pa-  
 pacy, whether the Ilanders of Britain were  
 Pagans or Christians.

To the same purpose speaketh *Nicolas*  
*Trevel*, who having commended this *Di-*  
*noth* for a learned and a prudent man, he  
 addeth, that *Austin* meeting him did demand  
 that they should performe subjection to him, as a  
 Legate sent into this Land by the Pope and Court  
 of Rome; and demanded further that he would  
 help him in preaching: but he denied the one and  
 the other. Still Subjection is denied. With  
 these, *Baleus* writing of *Dinoth* and the life  
 of *Austin* in *Sr. Henry Spellman*, and all our  
 Antiquaries doe agree exactly. And none  
 of

of our Historiographers that I know, doe disagree from it in the least, who write upon that subject, though some set it down more fully then others. Iudge now Reader of *Mr. Serjeants* Knowledge or Ingenuity, who telleth the so Confidently that *the right of Subjection never came into play*: and when I said the British Clergy, did renounce all obediēce to the Bishop of Rome, citing [Bede and all others], telleth me so confidently that *I belied Bede and all our Historiographers at once*. I challenge him to name but one Historiographer, who affirmeth the contrary to that which all these doe affirm: If he be not able (as he is not) I might safely say without asking him leave, that *it striketh the Question dead*.

His third Exception, that *it appeareth not that Sr. Henry Spellman found any other Antiquity in that Welsh Manuscript worth mentioning*, is so dull and insignificant a piece, that I will neither trouble myself nor the Reader with it. And such like are his other Objections, which he presseth not but toucheth gently: the Heads of them will not merit a repetition, having been answered already by Doctor Hammond.

But when he is baffled in the cause, he hath

hath a Reserve, that *Venerable Bede*, and *Gildas*, and *Fox* in his *Acts* and *Monuments*, do brand the Britons for wicked men, making them as good as *Atheists*: Of which Gang if this *Dinoth* were one, he will neither wish the Pope such Friends, nor envy them to the Protestants. What needed this, when he hath got the worst of the cause, to revenge himself like a *Pinece* with a stinke? We read no other Character of *Dinoth*, but as of a pious learned and prudent man. If *Gildas*, or *Bede* have spoken any thing to the prejudice of the Britons, it was not intended against the whole Nation but against particular persons, There were *St. Davids*, *St. Dubricius's* *St. Thelans's* *St. Oudoceus's* and *Dinoths* as well as such persons as are intended by *Gildas* or *Beda*. What have they said more of the Britons, then God himself and his Prophets have spoken of his own people, or more then the Saxons have said one of another, or more then maybe retorted upon any Nation in Europe? Have *Gildas* or *Beda* said more of the Britons, then *St. Bernard* and others have said of the Irish? and yet *Ireland* was deservedly called the Island of Saints. The Question is whether the British Church, did ever acknowledge any Subjection to the Bishop of *Rome*. Let him adorn this *Sparta*, and leave other impertinencies.

*That the King and Church of England  
had sufficient Authority to with-  
drawe their obedience from Rome.*

The sixth Chapter of my Vindication comprehended my fourth ground consisting of these three particulars. That the King and Church of *England* had sufficient Authority to reform the Church of *England*; That they had sufficient Grounds for doing it, And that they did it with due moderation. His Rejoinder to this my fourth ground is divided into three Sections, whereof this is the first. Whatsoever he pratteth in this Section of my *shuffling away the whole Question*, by balking the Bishop of *Romes* divine right to his Sovereignty of power, to treat of his Patriarchall right, which is humane; is first vain, For I alwayes was and still am ready to joine Issue with him concerning the Bishop of *Romes* divine right to a Monarchicall power in the Church; saving alwaies to myself and my cause this advantage, That a Monarchy and a Patriarchate of the same person in the same Body Ecclesiasticall are inconsistent. And this right being saved, I shall  
more



more willingly join issue with him about the Popes Monarchy, then about his Patriarchate. Secondly as it is vaine, so it is altogether impertinent, for my Ground is this, that a Sovereign Prince hath power within his own Dominions for the publick good, to change any thing in the externall Regiment of the Church, which is not of divine Institution: but the Popes pretended Patronage of the English Church, and his Legislative Iudiciary and dispensative power, in the exterior Courtes of the same Church, doe concern the externall Regiment of the Church, and are not of divine Institution. Here the Hinge of our Controversy doth move, without encombring our selves at all with Patriarchall Authority. Thirdly If say, that this discourse is not onely vaine and extravagant, but is likewise false; The Popes Protopatriarchall power, and the Authority of a Bishop of an Apostolicall Church as the keeper of Apostolicall Traditions deposited in that Church, are the fairest flowers in his Garland. Whatsoever power he pretendeth to, over the whole Church of Christ, above a Primacy of Order, is altogether of humane right; and the Application of that Primacy to the Bishop of *Rome* is altogether of humane right.

And

And whatsoever he presumeth of the Vni-  
 versall Tradition of the Christian Church,  
 or the *Noion* which the former and present  
 world, and we our selves before the Reformation  
 had of the *Papacy*, that is, of the Divine  
 right of the Popes Sovereignty, is but a  
 bold, railing, groundlesse bragge. I did  
 and doe affirm, that the Pope hath quitted  
 his Patriarchall power above a thousand  
 yeers since; not explicitly, by making a  
 formall Resignation of it, but implicitly,  
 by assuming to himself a power which is  
 inconsistent with it.

I was contented to forbear further dis-  
 puting about Patriarchall rights, upon two  
 Conditions; one that he should not pre-  
 sume that the Pope is a Spirituall Mo-  
 narch, without proving it. The other  
 that he should not attempt to make Patriar-  
 chall Privileges, to be Royall Prerogatives.  
 This by one of his peculiar Idiotisms he  
 calleth *Bribing of me*. If he had had, so  
 much Civility in him, he might rather  
 have interpreted it a gentle forewar-  
 ning of him, of two Errours which I  
 was sure he would Commit. After all his  
 Bravadoes, all that he hath pretended to  
 prove, is but a *Headship*, a *First Movership*,  
 a *Chief Governourship*, about which we have

no Difference with them; and all the proofe he bringeth even of that, is a bold presumption that there is such an immediate Tradition. There is not so much as a Nationall Tradition, for those Branches of Papall power which we have rejected, and much lesse for the divine right of them. And if there were such a Particular Tradition, yet wanting both perpetuity and Vniversality, we deny that it is a sufficient proofe of any right. This and the Privilege to receive Appeales, which is a Protopatriachall Privilege, is all he produceth.

If he would know what a Spirituall Monarch is, let him consult with *Sanders de Visibili Monarchia*, and *Bel-larmine* in his first booke *de Pontifice Romano*. But he is quite out of his aime, who knoweth no meane between a *flat Tyrant* and an *Ordinary Chief Governour*. Vpon these Termes a President of a Councell, a Master of a College, a Major of a Corporation should be so many Monarchs. I have shewed him what are those Branches of Sovereign Monarchicall Power which the Popes have Vsurbed, and when each Vsurpation did begin, (the first of the about 1100. yeares after Christ,) with the Opposition

that was made unto them by the King and Kingdome of *England*. If he will speake to the purpose, let him speake to these in particular, and trouble us no more with his Chief Governourships, or hold his peace for ever. All the Controversy between them and us is in point of Interest, and the Externall Regiment of the Church, which is due to every Christian Sovereigne in his own Kingdome. It is not we, but they who have changed their Governour.

He would faine perswade us if he could, that no *Catholick* will believe that a *Patriarch* is dependent on a King in *Ecclesiasticall* affaires: yet he himself hath confessed formerly, that they hold that every good King is to take

*Scct. 3.* Order to see *Ecclesiasticall* Grievāces remedied,  
*pa. 525* and the Canons of the Church observed. Then Patriarchs are not altogether independent upon Kings in *Ecclesiasticall* affaires, if a King be bound to see that a Patriarch execute the Canons, and see Patriarchall Grievances remedied. Sovereign Princes have founded Patriarchates, and confirmed Patriarchates, and conferred Patriarchates, and taken away Patriarchates, still here is some dependence. *Gregory* the Great was a Patriarch and a Pope: yet he acknowledged, that he ought due Subjectiō to the Law

of

of *Mauritius* in an Ecclesiasticall affaire; I being subject to your Command have transmitted your Law to be published, through diverse parts of the world: And because the Law it self is not pleasing to Almighty God, I have expressed my Opinion thereof to my Lords. Wherefore I have performed my duty on both sides, in yeilding Obedience to the Emperour, and not concealing what I thought for God. But Mr. Serjeants reason is silly beyond all degrees of comparison; Otherwise St. Peter could not preach at Rome if Nero were a King, nor St. James at Hierusalem without unkinging Herod. See what a doughty Argument he hath brought, Apostles, or Patriarchs, or Bishops, or Priests may perform the Ordinance of Christ, notwithstanding the Prohibition of Pagan Emperours and Kings: therefore they are independent upon them, and owe no Subjection or Obedience to any Kings, Christian or pagan. Yes Sr. although they owe the onely passive Obedience in that, yet they owe them active Obedience to their other lawfull Commands, even in Ecclesiasticall affaires.

But now he saith, he will give me fair Law. Put the case Papall Government had not been of Divine, but onely of Humane Institution, yet it ought not to have been rejected, unlesse the abu-

*ses had been irremediable.* I allow him to give law, and shuffle, and cut, and use what expressions he pleaseth: yet I used but an innocent allusion to the soaling of a Bowle, and it is thrice cast in my teeth. But for his *faire law* I thank him, I will take no Law from him but what I can win my self. He would be glad withall his Heart, to have but a good pretense of Humane Institution, for those Branches of Papall power, which are really controverted between us: but I deny him all manner of Institution both divine and Humane, and have shewed that they are but upstart Vsurpations of the Popes themselves, after 1100. years, and wanting lawfull Prescription even in these last ages, which ought to be plucked up as weeds, so soone as they are discovered, and to be removed before all other things, by those who are in Authority; *Ante omnia spoliatus restitui debet.* And here he is at us again with his often repeated and altogether mistaken case; which hence forward I shall vouchsafe no other answer to, but passe by it with a *πρὸς ἀπομνημόνεον*.

*Mart.*

*Ep. l. i.*

*Epig.*

46.

He demanded, *whether I would Condescend to the Rejection of Monarchy, or extirpation of Episcopacy, for the misgovernment of Princes or Prelates?*

I answer.

I answered [No;] We fancy not their Method, who cannot prune a tree except they pluck it up root and Branch : but I gave him three reasons why this could not advantage his cause. First, never any such abuses as these were objected to Princes or Prelates in *England*; Secondly, we desire not the extirpation of the Papacy, but the reduction of it to the Primitive Constitution. Thirdly; Monarchy and Episcopacy are of divine Institution, so is not Papall Sovereignty of Jurisdiction. To the first he saith nothing, but by way of Recrimination, the most ignoble kind of answering, especially when he himself cannot but condemne them in his own Conscience, for notorious Fictions of Cretian *Minotaur*s : But these abuses which we complain of, are the proper subject of the next Section.

He is here pleased to relate a pretty story of the late Archbishop of *Canterbury*, that he confessed himself to be in a Schisme, in a private discourse (I warrant it was private enough, without either witness or parties) as this Author was told by a very grave person, whose Candour he hath no reason to suspect. And why doth this grave person appeare in a Vizard without a name, or appeare after the parties death, that durst not have said it in his lifetime, and for feare to be detected



now telleth us it was in private? And when all is done, it is ten to one this worthy person (if he be *in rerum natura*) is an utter enemy, and of another Communion. We have had many abominable lies spread abroad in the world, upon the bare Testimony of some such single Adversary; as the Apostacy of Bishop King, the Defection of King *Charles*, the hopes they had of my Lord of *Strafford*; when all that knew my Lord of *Sirafford* and that witnesse, knew right well he never did in the presence of any other, nor ever durst offer to him any discourse of that nature.

To the second he answereth, that *we have already extirpated the Papacy out of England*. No, we have onely cast out seven or eight Branches of Papall Iurisdiction in the exteriour Court; which Christ or his Apostles never challenged, never exercised, never medled withall; which the Church never granted, never disposed. He might still for us enjoy his Protopatriarchate, and the dignity of an Apostolicall Bishop, and his Primacy of Order, so long as the Church thought fit to continue it to that See, if this would content him.

To my third reason he excepteth. *If Monarchy be of Divine Institution, the Venetians and the Hollanders are in a sad case.* I am glad when

when I find any thing in him that hath but a resemblance of matter, more then wind and empty words, although they weigh nothing when they come to be examined. The *Veneitians* and *Hollanders* may be in a sad Condition, in the Opinion of such rash Censurers as himself is, who have learned their Theology and Politicks but by the halues. Who taught him to argue from the Position of one lawfull forme of Government, to the Deniall of another? All lawfull Formes of Government are warranted by the Law of Nature, and so have their Institution from God in the Law of Nature; *The Powers that be are ordained of God*, whether they be Monarchicall, or Aristocraticall, or Democraticall, Man prepareth the Body, God infuseth the Soule of Power, which is the same in all Lawfull Formes.

*Rom.*

13. 1.

But though all lawfull Formes of Governmēt be warranted by the law of nature, yet not all in the same Degree of Eminency. There is but one soule in the body, one Sun in the heaven, one Maister in a Family, and anciently one Monarch in each Society: all the first Governours were Kings. The soule of Sovereign Power is the same in all Formes, but the Organ is more apt to attain its end in one Form then another; in Monarchy then in Aristocracy or Democracy.

And

And we say God and Nature doe alwaies intend that which is best. Thus it is in the Law of Nature, which is warrant sufficient for any form of Government: but in the Positive Law of God, he never instituted or authoris'd any form but Monarchy.

In the last Paragraph, where I say that the Popes Headship of Iurisdiction, is not of divine Institution, he excepteth, that it is my bare saying, and my old trick to say over againe the very point in dispute between us. If this be the very point in dispute between us (as it is indeed), it is more shame for him who letteth the very point in dispute alone, and never offereth to come neare it, especially having made such lowd bragges, that he would charge the Crime of Schisme upon the Church of England with undeniable Evidence, and prove the Popes Headship of Iurisdiction or Power, by a more ample cleare and continued Title, then any right of Law or Humane Ordinances can offer.

*Quid tanto dignum tulit hic promissor hian?*

As for my part I know my Obligation, whilst I am upon the defensive to make good my ground: and when it is my turn to assault, I shall discharge my duty. If he have any thing to say to the Huguenots of France, they are at age to answer him themselves; Our Controversy is onely concerning the Church of England Sect.

*That the King and Church of England,  
had sufficient grounds to separate from  
the Court of Rome.*

I had reason to wonder, not at *our Grounds* but *their silence*, that having so long, so oftē called for our grounds of Separation, and charged us, that we have no grounds, that we could have no grounds, now when sufficient Grounds are offered to them, two of them one after another should passe by them in deep silence. And this *Dispatcher* being called upon for an answer, unlesse he would have the cause sentenced against him upon a *Nihil dici*; with more halt then good speed, gives us an answer and no Answer, like the Title of an empty Apothecaries Box. If there be any Monster, the Reader may looke for it on that side, not on our side. He may promise the View of a strange Monster in his Antepasts and Postpasts, and blow his Trumpet *to get pence a piece to see it* (as he phraseth it): but if the Readers expect till he shew them any such rare sight, they may wait untill Dooms day, and all the remedy he offers them is, *to say he hath abused them*, as he doth often.

Now roome for his Case or his two *Principles of Unity*, which are evermore called in to help at a dead lift, But *his case*, is not the true case

case, and his Rules are leaden Rules, they might be streight at the beginning, but they have bended them according to their self Interest. Both *his case* and *his Principles* have been sufficiently discussed and fully cleared: so that I will not offend the Reader with his sleight dish of Coleworts sodden over and over againe.

He is angry, that I make our seperation to be rather *from the Court of Rome*, then *from the Church of Rome*, and stileth it *perfect Impudence*. So my Assertion be evidently true, I weigh not his groundlesse Calumnies. Let any man looke upon our Grievāces, and the Grounds of our Reformation, 1. the intolerable extortion of the Roman Court, 2. the unjust Vsurpations of the Roman Court, 3. the malignant influence of the Roman Court upon the body politick, 4. the like malignant influence of the Roman Court upon the body Ecclesiastick, 5. and lastly the Violation of ancient Liberties and Exemtions by the Roman Court; and he can not doubt from whence we made our Separation, All our sufferings were from the Roman Court; then why should we seek for ease but where our Shoe did wring us? And as our Grievāces, so our Reformatiō was onely of the Abuses of the Roman Court; Their bestowing of prelacies and dignities in *England*

gland to the prejudice of the right patrons ; Their Convocating Synods in *England* without the Kings leave ; Their prohibiting English Prelates to make their old Feudall Oaths to the King , and obliging them to take new Oaths of Fidelity to the Pope; Their imposing and receiving Tenths and Firstfruits , and other arbitrary Pensions upon the English Clergy; And lastly their usurping a Legislative Iudiciary and Dispenfative Power in the exterior Court by Politicall Coaction. These are all the Branches of Papall power which we have rejected. This Reformation , is all the Separation that we have made in point of Discipline. And for Doctrine, we have no Difference with them about the old Essentials of Christian Religion : And their new Essentials which they have patched to the Creed, are but their erroneous or at the best probable Opinions, no Articles of Faith.

He is still bragging of his *Demonstrations*, (yet they are but blind Enthymematicall Paralogismes , wherein he maketh sure to set his best legge formost, and to conceale the lameness of his Discourse as much as he can from the eyes of the Reader ) and still calling upon us for *rigorous Demonstration*. I wish we knew whether he understād what *rigorous Demonstration* is in Logick, for no other

other Demonstration is rigorous, but that which proceedeth according to the strict Rules of Logick, either *a priore* or *a posteriore*, from the cause or the effect: And this Cause in Difference between us (whether those Branches of power which the Pope claimeth and we have rejected, be the Legacies of Christ or Papall Vsurpation) is not capable of such rigorous Demonstration, but dependeth upon Testimony, which Logicians call an *Inartificiall* way of arguing. But if by *rigorous Demonstration*, he understand convincing proofes, those grounds which I offer in this Section do contain a *rigorous Demonstration*. That Discipline which is brimfull of intollerable Rapine, and Extortion, and Simony, and Sacrilege; which robbeth Kings, and Subjects Ecclesiasticall and Secular, of their just rights; which was introduced into the Church of England, eleven hundred yeares after Christ; which hath a Malignant Influence upon the Body Politick; which is Destructive to the right ends of Ecclesiasticall Discipline; which in stead of securing men in peace doth thrust them into Manifest and manifold Dangers, both of soule and body; which is contrary to Generall Councils, and the ancient Liberties of particular Churches: *qua talis, as it is such*, is no Legacy



gacy of Christ, but ought to be purged and reformed from all such abuses and Vsurpatios: But such is that Papall Discipline, which the Bishop of *Rome* excercised in *Englād* before the Reformation, and lesse then which they will not goe; and such are all those Branches of Papall power which we have cast out.

The truth of this Assertiō I have made manifest in my Vindication c.6, and this is the place of a further examination of it, if he did discharge the part of a faire solid Disputant; to leave his windy Invectives, which signify nothing to the cause, but to his own shame, and to proceed closely and ingenuously to the investigation of truth without prejudice or partiality. But on the Contrary, he minceth my grounds, and concealeth them, and skippeth over whatsoever disliketh him, and choppeth them and chāgeth them, and confoundeth them, that I cānot know mine own Conceptions againe as he hath dressed them, ād disordered them, and mutilated them. I proposed five distinct Grounds of our Reformatiō, ād casting out so many Branches as we did of Papall power; if he dealt like a just Adversary, he should pursue my Method step by step: but he reduceth my five grounds into three, that between two Methods he may  
con-

conceale and smother whatsoever he hath no disposition to answer, as he dealeth with many points of weight and moment, and particularly with all those Testimonies and instances I bring to prove the intolerable extortions, and manifold Vsurpations, and malignant Influence of the Roman Court upon the Body Politick and Ecclesiastick, being much the greater part of my discourse. But I doe not altogether blame him, for they are so foule, that a man can find small credit or contentment in defending them. For once rather then loose his Company, I will pursue his Method. Let us give him the hearing.

He reduceth my five grounds to three, first such as entrench upon Eternity and Conscience. *May not any Heretick object that the Church imposed new Articles of faith &c. or complain of new Creeds, when she addeth to her publick Professions some points of Faith held formerly? Might not he Complaine of perill of Idolatry, as your Brother Puritans did for Surpleses &c? Might not he pretend that all Hereticks and Schismatics were good Christians, and that the Church was Tyrannicall in holding them*  
for

for excommunicate? Might he not shuffle together Faith with Opinion, and falsely allege as you doe here, you were forced to approve the Popes Rebellion against Generall Councells, and take Oaths to maintain Papall Vsurpations?

This is all the Answer I get of this brave Disputant, as if the unjust complaints of the *Puritans* did satisfy the just exceptions of the Protestants. It is probable enough, that he him self was one of our Brother Puritans in those dayes: otherwise he could not well have talked so wildly of perill of Idolatry from Surpleses. His discourse is so sleight and impertinent, that I will not vouchsafe any answer but leave it to the Reader to compare my *Vindication* and Reply with his *Rejoinder*. That they have added new Essentialls to Faith, is fully evinced against them in this Treatise Sect. 1. cap. 11. What our Iudgement is concerning their Idolatry, he shall find exactly set down in my answer to *Militier* Pa. 133. As for the Oaths of Fidelity which every Bishop must make to the Pope, he may satisfy him self Sect. 1. cap. 5. and see the Form of it. cap. 7. Or if he Desire to see a later form, let him take this. I *Henry*  
Arch-

*Antiq.* Archbishop of Canterbury will be  
*Eccles.* faithfull and Obedient to St. Peter from  
*Briu.* this houre as formerly, and to the holy  
*vita* 66. Apostolick Church of Rome, and to my  
 Lord Pope Alexander the sixth and his  
 Successours. I will give no counsaile nor  
 consent nor act any thing towards the  
 losse of their lives, or members, or liber-  
 ty. I will discover their Counsailes to  
 no man to their prejudice, which they  
 have communicated to me by them-  
 selves or their Messengers. I will help  
 them to retein and defend the Roman  
 Papacy, and the Royalties of St. Peter  
 (saving my Order) against all men. I  
 will entertein the Popes Legates honora-  
 bly going and comming, and help them  
 in their necessities. I will visit the Pa-  
 pall Court every yeare, if it be on this  
 side the Alpes, and every two yeares if  
 it beyond the Alpes, unlesse the Pope dis-  
 pense with me, So help me God and the  
 Holy Gospell. What fidelity can a King  
 expect from a Subject who hath taken this  
 Oath, if the Pope please to attempt any  
 thing against him? If the Popes Superio-  
 rity

rity above a Generall Councell, be but held as an indifferent Opinion in their Church, and not a point of Faith, as he intimateth: yet it is such an Opinion as he dare not contradict, it is *fere communis*, it is almost the Common Opiniō of all Romā Catholicks, if Bellarmine say true, and *fere de fide*, almost a point of Faith, upō which modern Popes and Councells are accorded. It is determined expressly in their last Generall Councell of Laterā, that the Bishop of Rome alone hath Authority over all Councells. Sess. 11.

Were these all the grounds he could find which entrench upon Eternity and Conscience? He might have found more, that by means of Papall abuses there described, hospitality was not kept, the poore not sustained, the word not preached; churches not adorned, the Cure of soules neglected. divine Offices not performed, Churches ruined. He might have found Oaths, Customs, writings, grants, statutes, rights, privileges, to have been not onely weakened but exinanited, by the Popes infamous Messenger called Non obstante. Math. Paris. an. 1245. And all this attested by the Lords Spirituall and Temporall, and the whole Commonwealth of England. But it is no matter whether he take notice of it or not, whilest he answereth nothing.

He saith my second sort of Grounds, are those which relate to Temporall inconveniences and injuries to the State, by reason of the Popes pretended

*tended encroachments, which I huddle together in big Terms. Do I huddle the together? Nay I hadled them distinctly under three heads or notions. First the intolerable Oppressiōs and Extortiōs of the Court of Rome in points of Fact, Secondly their grosse and grievous usurpations in point of Right, Thirdly the malignant influence of forrain discipline in point of Policy. It is he that huddles them together, because they are so foule and so evident, that he dare not take a view of them singly, much lesse repeat them: and so they might be buried in Oblivion for him, unlesse the Reader be pleased to take a review of them. I shall not willingly adde a word more, either to the Extortions or Malignant Influence, because I Iudge in Charity, that all good men doe wish them amended as well as I: And for the Usurpations, being matter of perpetuall right, I hope I have cleared them sufficiētly in this Treatise throughout the first Sectiō:*

*But what is his answer to all this? That it is disputable between Canon and Civill Lawyers, whether many of these were abuses or just rights; of which kind of Coniroversy he neither thinks me nor himself competent Iudges. Adding, that these Questions doe not concern our present quarrell. How? not concern our Quarrell? They are all the Quarrell we have:*

have : and not a Primacy of Order, or any power purely spirituall in the Court of Conscience. If he have nothing to doe with these, why doth he meddle to no purpose ? whatsoever power was given by Christ, or is recorded in Scripture, is expressly excepted out of our Law. And once more Reader observe and wonder, that these men who called upon us often for the Grounds of our Seperation, must be called on as often for a faire answer. He promised to shew the Readers *a Monster in this Section for pence a piece* : It seemeth by his bogling, he seeth something that he is afraid to meddle with. I doubt he will prove a true Prophet of himself, that all the Readers satisfaction for their money will be, to tell them that *he hath abused them*.

But it may be he is better at his sword then at his Buckler, at opposing in Generalls, then defending himself from Particulars. Although he hath not given us one particular answer, to the truth or falshood of the Crimes and inconveniēces objected: yet he giveth in seven generall Exceptions, but it is with as much hast as the dogge by Nilus, which runnes and drinckes. First he saith, *those inconveniences which I mention, if they had been true, are abuses in the Officer not faultis in the Office, which ought not to be*



*taken away for them.* Intolerable extortions and grosse Vsurpations, are no more with him then *inconveniences*. This Objection was answered by me before it was moved by him, if he had not thought fit to smother it; where I distinguish between the personall faults of Popes, and faulty principles or Lawes, and shew how farre the one and the other doe warrant a Separation. The former onely from the faulty person, to preserve ourselves from participating with him in his Crimes: The latter from the faulty Office, so farre as it is faulty, untill it be reformed. Neither have we taken away any Office, but onely abuses and Vsurpations.

*Vind.  
cap. 6.  
pa. 128*

Secondly he excepreth, that *some of these pretended abuses are onely my own Deductions; which I shew not evidently out of the Science of Politicks, but out of two or three matters of Fact.* I answer, that experience is the Polititians best Schoolmaster; and that every man findeth where his own Shoe wringeth him, much better by wearing it himself, then by hearing others discourse of it. But I thanke him for his *Memento*, and the next time I have occasion to make use of it, I shall demonstrate to him out of the *Sciēce of Politicks* that *Forrain Iurisdiction* is uselesse and chargeable

geable to the Subject ; Dangerous and destructive to the King and Commonwealth; a Rack and Gibbet to the Conscience , by subjecting it to two Supremes who may possibly clash one with another ; and altogether opposite to the Ecclesiasticall Policy of the Primitive times, which conformed the bounds of Ecclesiasticall Iurisdiction to the Civill.

Thirdly he pleadeth, that *I doe not prove that some of these pretended abuses were not just rights , but onely shew that such and such things were done , and that either party had learned Lawiers for them , and that sometimes the Kings renounced their pretenses , as in point of Investitures.* I answer, that the Opposition of King and Kingdome to any branch of Papall power, sheweth evidently that they did not believe, that the Pope had any right to it, divine or humane, and clearly destroyeth his Foundation of immediate Tradition. How should they leave that to their Children , as a Legacy of Christ or his Apostles , which they themselves rejected? Our Kings never renounced their right of Investitures , onely they consented, that they should not give Investitures in their own persons , but by a Bishop , still retaining both the right of Patronage and their Feudall Oaths.

*Edmer*

Fourthly, he saith that *these temporall Lawes which I cite*, concluder not evidently a right; and reason gives more particular respect to Ecclesiasticall lawes then to temporall. I answer, though such Lawes doe not alwaies prove a right; Yet they alwaies prove the common consent of the Kingdome, what they esteem to be right; they alwayes disprove the Popes Prescription. But he is wholly mistaken, many of those Lawes which I cited were Ecclesiasticall Lawes; And the Popes Decretalls which he intimateth for Lawes, are no Lawes, nor ever were held for Lawes in *England*, without the reception of the Church and Kingdome. Reason gives more respect to the Sanctions of Bishops then of Kings, in cases purely spirituall; but more respect to the Lawes of Kings then of Bishops, in the Externall Regiment of the Church within their own dominions.

Fifthly he chargeth me for saying, that *the Pope usurped most unjustly all right Civill, Ecclesiasticall, Sacred, Prophane, of all Orders of men, Kings, Nobles, Bishops, &c.* Which he calleth a lowd mouthed Calumny. By his favour, he doth me wrong and himself more with his foule Language, when he is not provoked at all.

I said

I said not [all right] in the *abstract*, but [all rights] in the *concrete*. Hath he forgotten that which every boy in the Vniversity knoweth, to distinguish betwixt *singula generum* and *genera singulorum*, Some of all sorts, and all without exception. My words onely signify some rights of all sorts; as is evident by the words following, *Civill, Ecclesiasticall, sacred, prophane, of all Orders of men, Kings, Nobles, Bishops &c.* which is an ordinary and proper expression, and cannot possibly be extended to all rights without exception.

Sixthly, he urgeth that *grant all these abuses had been true, was there no other remedy but division? Had not the Secular Governours the sword in their hand? Did it not lye in their power to chuse whether they would admit things destructive to their rights?* I answer, that it doth not alwaies rest in the power of the Civill Magistrate, to doe that which is best in it self, especially in seditious times, when the Multitude (as a good Authour saith) doe more readily obey their Priests then their Kings. But they must move their Rudder according to the Various Face of the Sky, and await for a fitter opportunity; As our Kings did, which fell ont at the

Reformation , when they followed his Counsaile in good earnest , and with the Civill sword did lop away all Papall Vsurpations and abuses ; Other *Division* then this, to divide between the rotten and the sound , we made none. The great division which followed our Reformation , was made by themselves, and their Censures. Our Articles do testify to all the world, that we have made no division from any Church, but onely from Errours and Abuses.

Seventhly , he pleadeth that *in case these temporall inconveniences had not been oherwise remediable , yet Ecclesiasticall Communion ought not to be broken for temporall Concernments.* To prove this Conclusion he bringeth six reasons , some pertinent, some impertinent and very improper, but he might have saved his labour. For if he understand his Conclusion in that sense, wherein he ought to understand it , and wherein I hope he doth understand it, of deserting the Communion of the Catholick Church , or of any member of the Catholick Church *quatale* as it is a Member, for meer temporall respects , *Concedo omnia*, I grant the conclusion: but if by breaking Ecclesiasticall Communion, he under-stand

stand deserting the Communion of a particular Church, as it is erroneous and wherein it is erroneous, his Conclusion is not pertinent to his purpose, nor his six proofes pertinent to his conclusion. But he might remember, first that our Grounds by his own Confession do not all relate to *temporall inconveniences*, but some of them to *Eternity and Conscience*, and that they ought to be considered conjointly. Secondly, that we do not make these *temporall Inconveniences* to be irremediable, we our selves have found out a Remedy: and it is the same which he himself adviseth in this place, to thrust out all entroachments and Vsurpations with the civill sword. If they will grow Angry upon this, and break Ecclesiasticall Communion themselves, it is their Act, not ours, who have acted nothing, who have declared nothing against any right of the Bishop of *Rome* divine or humane, but onely against his encroachments and Vsurpations, and particularly against his Coactive power in the Extremour Court, within the English Dominions. They might take us to be not onely very tame Creatures, but very stupid Creatures, first to suffer them to entrench and encroach and usurp upon us dayly, and then

to

to be able to perswade us to *Isachars* condition, to undergoe our burthen with Patience like Asses, because we may not break *Ecclesiasticall Communion for temporall concernments*. We have done nothing but what we have good warrant for from the Lawes of God and nature; let them suffer for it, who either seperate from others without just cause, or give others just cause to seperate from them.

In the next place followeth a large Panegyricall Oration in the praise of Vnity, of the Benefit and Necessity of it, mixed with an Invektive against us for breaking both the Bonds of Vnity. The former of those considerations is altogether superfluous, To praise Vnity which no man did ever dispraise, but to his own perpetuall Disgrace. The latter is a meer Tautology or repetition of what he hath said before, which I will not trouble the Reader withall, but onely where I find some new weight added. He saith wee acknowledge *the Chnrch of Rome to be a true Church*. Right, Metaphisically a true Church, which hath the true essence and being of a Church, but not Morally true or free from Errours.

pag.  
572.

He



He demands, *what is the certain Method to know the true sense of Scripture?* If he please to take so much paines to View my answer to *Militier*, he may find both whom wee hold to be fit Expositors of Scripture, and what is the right manner of expounding Scripture; If he have any thing to say against it, he shall have a faire hearing. He telleth us, that *our best Champions* Chillingworth and Falkland *doe very candidly confesse, that we have no certainty of Faith but probability onely.* He citeth no place, and I do not hold it worthy of a search, whether they doe confesse it or not. It is honour enough for them to have been genuine Sonnes of the English Church, (I hope they were so), and men of rare parts, whereof no man can doubt: yet one of them was a Lay man, it may be neither of them so deeply radicated in the right Faith of the English Church, as many others. But our chiefeft Champions are those who stick closest to the Holy Scriptures, interpreted according to the Analogy of Faith, and the Perpetuall Tradition of the Vniverfall Church: but for that Assertion which you father upon them, that *we have no certainty of Faith but probability onely*; We detest it. And when you, or any other is pleased to make tryall, you

You will find that we have as great assurance altogether for our faith, as your selves have for your old Articles of faith, and much more then you have for your new Articles,

p. 373. He accuseth us for joining in Communion with *Greeks Lutherans Huguenots, perhaps Socinians Presbyterians Adamites Quakers &c.* And after he addeth *Roman Catholics.* Are not Huguenots Presbyterians in his Sense? If they be, why doth he disjoin them? I know no reason why we should not admit *Greeks and Lutherans* to our Communion, and (if he had added them) *Armenians Abyssines Muscovites*, and all those who do professe the Apostolicall Creed, as it is expounded by the first four Generall Councells under the Primitive Discipline: and the Roman Catholics also, if they did not make their Errours to be a Condition of their Communion. As for *Adamites* and *Quakers* we know not what they are, and for *Socinians* we hold them worse then *Arrians*. The *Arrians* made Christ to be a Secondary God, *erat quando non erat*: but the *Socinians* make him to be a meer creature. And for *Presbyterians* what my Iudgement is, he may find fully set down in my reply to the Bishop of  
Chal-

*Chalcedons Epistle.*

But saith he, every one of these hath a different head of the Church, The English head is the King, The Roman Catholick head is the Pope, The Grecian head is the Patriarch, The Presbyterian head is the Presbytery or Synod, and the Lutheran head is the Parish Minister. First for the Lutherans he doth them egregious wrong. Throughout the Kingdomes of Denmark and Sweden they have their Bishops, name and thing, and throughout Germany they have their Superintendents. And to the rest I answer him, that there are severall Heads of the Church, Christ alone is the Spirituall head, the Sovereign Prince the Politicall head, the Ecclesiasticall head is a Generall Councell, and under that each Patriarch in his Patriarchate, and among the Patriarchs the Bishop of Rome by a Priority of Order. We who maintain the King to be the Politicall head of the English Church, doe not deny the spirituall Headship of Christ, nor the supreme power of the Representative Church that is a Generall Councell or Synod, nor the Executive headship of each Patriarch in his Patriarchate, nor the Bishop of Romes headship of Order among them: and thus this great Objection is vanished. By this he may see that

that we have introduced no new Form of Ecclesiasticall Government into the Church of *England*, but preserved to every one his due right if he will accept of it; and that we have the same Dependence upon our Ecclesiasticall Superiours, which we had evermore from the Primitive times.

He chargeth us, that *we give no certain Rule to know which is a Generall Councell, which not, or who are to be called to a Generall Councell.* There is no need why we should give any new Rules, who are ready to observe the old Rules of the Primitive Church. Generall Summons to all the Patriarchs, for them and their Clergy; Generall Admittance of all Persons capable, to discusse freely, and to define freely, according to their distinct Capacities; and lastly the presence of the five Protopatriarchs and their Clergy, either in their persons or by their suffrages, or in case of Necessity the greater part of them, doe make a Generall Councell. Whilest we set this rule before us as our pattern, and swerve not from it but onely in case of invincible Necessity, we may well hope that God who looketh upon his poore Servants with all their Prejudices, and expecteth no more of them then he hath enabled them to performe,  
who

who hath promised that where two or three are gathered together in his name, there will he be in the midst of them; Will vouchsafe to give his assistance and his Blessing to such a Councell, which is as Generall as may be, although perhaps it be not so exactly Generall as hath been, or might have been now, if the Christian Empire had flourished still as it did anciently. In summe, I shall be ever ready to acquiesce in the Determination of a Councell so Generall as is possible to be had; so it may be equall, not having more Iudges of one Country then all the rest of the Christian world, as it was in the Councell of *Trent*, but regulated by the equall votes of Christian Nations, as it was in the Councells of *Constance* and *Basile*: and so as those Nations which cannot in probability be personally present, may be admitted to send their Votes and Suffrages as they did of old; and lastly so it may be free, called in a free place whither all parties may have secure access, and Liberty to propose freely and define freely, according to the Votes of the Fathers, without being stin-  
ted or turbed or overruled by the Holy Ghost sent in a Carriers Budget.

And for the last part of his exception  
that

that *Hereticks should not be admitted*, I for my part should readily consent; provided that none be reputed Hereticks, but such as true Generall Councells have evidently declared to be Hereticks, or such as will not pronounce an *Anathema* against all old Heresies, which have been condemned for Heresies by undoubted Generall Councells. But to imagin that all those should be reputed Hereticks, who have been condemned of Heresy or Schisme by the Roman Court for their own interest, that is foure parts of five of the Christian world, is silly and senselesse, and argueth nothing but their fear to come to a faire impartiall Tryall.

And this is a full answer to that which he allegeth out of *Doctor Hammond*, that *Generall Councells are now morally impossible to be had, the Christian world being under so many Empires and Divided into so many Communions*. It is not credible that the Turke will send his Subjects, that is four of the Protopatriarchs with their Clergy to a Generall Councell, or allow them to meet openly with the rest of Christendome in a Generall Councell, it being so much against this own Interest,

terest: but yet this is no impediment why the Patriarchs, might not deliver the Sense and Suffrages of their Churches by Letters or by Messengers; and this is enough to make a Councell Generall. In the First Councell of *Nice*, there were onely five Clergymen present out of the Western Churches; In the Great Councell of *Chalcedon* not so many; In the Councells of *Constantinople* and *Ephesus* none at all. And yet have these four Councells evermore been esteemed truly Generall, because the Western Church did declare their consent and concurrence. Then as there have been Generall Orientall Councells, without the personall presence of a Western Bishop: so there may be an Occidentall Councell, without the personall presence of one Eastern Bishop, by the sole Communication of their sense and their Faith. Neither is such Communication to be deemed impossible, considering what correspondence, the *Muscovian* Church did hold long with the Patriarch of *Constantinople*, and the *Abyssine* hath long held, and doth still hold with the Patriarch of *Alexandria*.

It is cōfessed that there are too many different Communions in *Europe*, it may be some  
 Z more



more then there is any great cause for, and perhaps different Opinions where there is but one Communion, as difficult to be reconciled as different Communions. But many of these Mushrome Sects, are like those inorganicall Creatures bred upon the Bankes of *Nilus*, which perished quickly after they were bred, for want of fit Organs. The more considerable parties, and the more capable of reason are not so many; if these could be brought to acquiesce in the determination of a free Generall Councell, they would tow the other like lesser Boats after them with ease.

No man will say that *the Vnity of the Church in point of Government*, doth consist onely in their actuall subordination to Generall Councells. Generall Councells are extraordinary Remedies, proper for curing or composing new differences of great Concernment in Faith or discipline. That being done, Generall Councells may prove of more Danger then use. No healthfull man delighteth in a continuall course of Phisick. But Vnity consisteth also and Ordinarily in Conformity and submission to that discipline which Generall Councells have recommended to us, either as the Legacies of Christ and his Apostles, or as  
Eccle-

Ecclesiasticall Policies instituted by them, with the Concurrence or Confirmation of Christian Sovereigns, for the publick good of the Catholick Church.

He chargeth us, that we have so formed Gods Church, that there is no meanes left to assemble a Generall Councell, having renounced his Authority whose proper Office it was to call a Generall Councell. His errours seldome come single, but commonly by Clusters or at least by paires. What height of Confidence is it to affirm, that it is the proper Office of the Pope to call Generall Councells, when all ingenuous men doe acknowledge that all the First Generall Councells, were *Ab Imperatoribus Indicta*, Called by Emperours? To which the Popes Friends adde, that it was by the Advice and with the Consent of the Pope. And Bellarmine gives diverse reasons why it could not be otherwise, First, because there was a Law, which did forbid frequent Assemblies for feare of Sedition. Secondly because no reason doth permit that such an Assembly should be made in an Imperiall City, Without the leave of the Lord of the place. Thirdly because Generall Councells were made then, at the Publick Charge. He might have

added , that Councells did receive their Protection from Emperours, and they who sit in Councells were the Subjects of Emperours.

In the second place he erreth in this also, that *we have taken away the meanes of assembling Generall Councells.* We have taken away no power from the Pope of convoking any Synods, except onely Synods of the King of Englands Subjects, within his own dominions, without his leave; which *Bellarmino* himself acknowledgeth to be agreeable to reason. If the Pope have any right, either to convocate Generall Councells himself, or to represent to Christian Sovereigns the fit seasons for Convocation of them, either in respect of his *Beginning of Vniy*, or of his Protopatriarchate, we do not envy it to him, since there may be a good use of it in respect of the division of the Empire, so good caution be observed. *Bellarmino* confesseth that that power which we acknowledge, that is, that *though the Pope be no Ecclesiasticall Monarch, but onely chief of the Principall Patriarchs, yet the right to convocate Generall Councells should pertain unto him.* But it may be, this is more then *Mr. Serjeant* did know.

*De  
concil.  
li, 1. c.  
12,*

*My*

My last Ground, was the Exemption of the Britannick Churches from foreign Iurisdiction, by the Generall Councell of *Ephesus*. As to the Exemption of the Britannick Churches, he referreth himself to what he had said formerly, and so do I. To the Authority of the Councell of *Ephesus* he answereth, that howsoever *Cyprus and some others are exempted from a Neighbouring Superiour, falsely pretending a Iurisdiction over them, yet I shall never shew a Syllable in the Councell of Ephesus, exempting from the Popes Iurisdiction as head of the Church.* Not directly, a mā may safely sweare it, for the Councell never suspected it, the world never dreamed of it, the Popes themselves never pretended to any such headship of Power, and Vniversall Iurisdiction over the whole Church, in those dayes. All that the Primitive Popes claymed by divine right, was a *Primacy of Order or Beginning of Vnity*, due to the Chaire of *St. Peter*: all that they claimed by humane right were some Privileges, partly gained by Custome or Prescription, and partly granted by the Fathers to the See of *Rome*, because it was the Imperiall City. But there is enough in this very Canon collat-

terally to overthrow all the Vſurpations of the Roman Court. There is no need that Britain ſhould be named particularly, where all the Provinces without exception are comprehended, *Let the ſame be obſerved in other Dioceſſes and in all Provinces.* There is no need that the Biſhop of Rome ſhould be expreſſed, where all the Biſhops are prohibited, *That no Biſhop occupy another Province, which formerly and from the beginning was not under the power of him or his Predeceſſours.* If the Fathers were ſo tender of pride creeping into the Church in thoſe dayes, or of the danger to loſe their Chriſtian Liberty in the caſe of the Biſhop of Antioch, who pretended neither to divine right nor Vniuerſall Iuriſdiction: what would they have ſaid or done in the preſent caſe of the Biſhop of Rome, who challengeth not onely Patriarchall but Sovereign Iuriſdiction, not over Cyprus onely but over the whole world, not from Cuſtome or Canons but from the institution of Chriſt? If Maſter Serjeant be in the right then the Biſhop of Antioch was quite out, to ſue for the Iuriſdiction of Cyprus which belonged more to the Biſhop of Rome than to him. Then the Biſhops of Cyprus were quite ont, to challenge the Ordination of

of themselves, and Iurisdiction over one another, as a proper right belonging to themselves, which they hold onely by Courtesy and favour from the Bishop of Rome. Then the holy Synod was quite out, to Determine so positively, that not onely Cyprus, but every Province should enjoy its rights and Customes inviolated, which it had from the beginning, without a *Salvo* or saving the right of the Bishop of Rome, or a restriction, so long as he pleaseth to permit them; and to doe it in such Imperiall Terms, *It hath pleased the holy Synod*, or such is our pleasure. Lastly the Pope himself was out, to ratify the Privileges and exemptions of the Cyprian Bishops, not onely from the Patriarch of Antioch, but from himself also, and to suffer his divine right to be trampled under foot, by Customs and Canons, which are of no force without him. But this is the least part of the passages in the foure First Genetall Councells, which are repugnant to the Popes pretensions of a Generall Monarchy. The Eastern Churches doe still adhere firmly to the Primitive Discipline, and for this cause the Pope hath thought fit to excommunicate them. *Si violandum jus est, regnandi causa violandum est,*

Against

Against all our Grounds , the most intolerable extortions that ever were heard of, most grievous Vfurpations, malignant Influence both upon the State Politick and Ecclesiastick , and undoubted Privileges, he produceth nothing but *immediate Tradition* ; and you must be content to take his bare word for it , for he is altogether unfurnished of proofes. Some men by telling strange Stories over and over , do come at last to believe them. It may be, he believeth there was a Tradition, for those Branches of Papall power , which we cast out : but we deny it altogether, and require him to prove first that there was such a Tradition in *England* , next that a particular Tradition is a sufficient proofe of divine Institution.

We admit readily, that *the Vnity of the Church is of great importance*, and *the breaking of it an heinous Crime*, and that *no abuses imaginable are sufficient excuse for a totall desertion of a just power*. Thus far in the *Thesis* we agree , but in the *Hypothesis* we differ , That which is a sufficient ground for a reformation,

is



is not a sufficient Ground for an extirpation. So many, so grievous, so unconscionable extortions, and Vsurpations, and malignant influences, as we complain of and prove, are without all peradventure a sufficient ground of Reformation, which is all our Ancestours did, or we defend; though not a sufficient cause of the extirpation of any just Authority. Our Grounds are sufficient for a Reformation of abuses and encroachments, which we acknowledge, and which is all we did at the Reformation: but for the abolition of any just power, it is his fond Imagination, we disclaime it altogether. We have cast out all Papall Coactive Iurisdiction in the Exteriour Court, as being Politicall not Spirituall: but for any Papall Iurisdiction either purely spirituall or justly founded, we have not medled with it; those things which we have cast out, are onely abuses and Vsurpations. So there is no need of that Consideration which he proposeth, whether the abuses were otherwise remediable, or not: for our Reformation is that very Remedy which he himself hath prescribed, to hold out encroachments with the point of the sword, without any medling with just right. Other division  
then

then this (which he himself hath allowed) we believe our Ancestours intended none, we hold none, and so are accountable for none.

The main Question is whether the *Bri-tannick* Churches were *de facto* subject to *Rome* or not. I have demonstrated the contrary already, that they were not, and had alwaies their Ordinations at home. But his Conclusion which he puts upon me, that *true complaints against Governours, whether otherwise remediable or no, are sufficient reasons to abolish that very Government*, is a vain assertion of his own, no Cōclusion of mine.

He starteth a Question here little to his own Credit, whether he that mainteineth the Negative, or he that mainteineth the Affirmative ought to prove. He saith (*according to his old Pueriles*) that *a Negative may be proved in Logick*. No man doubteth of it or denieth it, *Quis enim potest negare?* I said on the Contrary, that in this case which commeth herein difference between us, according to the strict rules of Law, the burthen to proue, resteth onely on his side who affirmeth. As the Question is here between us, whether we had other Remedies, then to make such a Reformation as we did. We say,  
No.

No. They say, Yea. It is possible to prove there might be other Remedies, but it is impossible to prove there were no other Remedies. *Galen* or *Hippocrates* himself would not have undertaken such a Taske, to prove that there were no other Remedies for a disease, then that which they used. It is not for want of Logicall Forms, that Negatives are not to be proved in matter of Fact, but for want of sufficient *Mediums*. He saith he is no *Bowler*, and so unexpert as not to understand what is the soaling of a *Bowle*; It may be it is true, but if I should put him to prove this Negative, it is impossible. But so farre as a Negative of that nature is capable of prooffe, I did prove it, by our Addresses to Popes and Councells, and long expectation in vain, that we had no other Remedy then that which we used, to thrust out their Vsurpations by the power of the sword, which course he himself adviseth, and we practised. The division is not made by them who thrust out Vsurpations, but by them who brought them in and defend them.

I said, that not onely our *Ancestors* but all *Catholick Countries* did maintein their own privileges inviolated, and make themselves the last Iudges of their  
Grie-

*Grievances, from the Court of Rome. Hence he concludeth with open Mouth, therefore there were other Remedies, there needed no Division. Alas poore man, how he troubleth himself about nothing! They and we used the very same Remedies, the same that he adviseth in this place. The Pope would not ease them upon many addresses made. What then? had not the King the Sword in his own hands? Did it not lie in his power to right himself as he listeth? and to admit those pretended encroachments onely so far as he thought just and fitting? Yes, the King had the sword in his hands, and did right him self, and cast out those Papall Usurpations so far as he found Iust: and now when we have followed your own advise, you call us *Schismaticks* and *Dividers*. Sr. we are no Dividers, but we have done our Duties, and if we prove those things which we cast out to be Usurpations (as we have done), you are the *Schismaticks* by your own Confession.*

*He pleadeth, If Papall Authority be of Christs Institution, then no just cause can possibly be given for its Abolishment. Right: But those Branches of Papall power which we have cast out, are neyther of Christs Institution nor of Mans Institution, but meer Usurpations, Neither doe we seek to abolish*

lish Papall Authority, but to reform it from Accidentall Abuses, and reduce it to its first Institution. The best Institutions Divine or Humane, may sometimes need such Reformation. Here is nothing like prooffe, but his *World of Wiunesses*, and his *Immemoriall Tradition*, presumed not proved.

To shew that no Nation suffered so much as England under the Tyranny of the Roman Court, he saith I produce nothing, but *the pleasant saying of a certain Pope*. Well, would he have a better witness against the Pope, then the Pope him self? *Habemus consuetudinem reñ*. He was pleasant indeed, but

*Ridentem dicere verum*

*Quid vetat?*

*What hindereth that a man may not tell the truth laughing?* He asketh whether *those Testimonies which I produce, be Demonstrative or rigorous Evidences?* I thinke he would have me like the unskilfull Painter, to write over the Heads of my Arguments, *This is a Demonstration*. It would become him better to refute them, and shew that they are not Demonstrative, then to trifle away the time with such frivolous Questions.

I she-

I shewed, that [England is not alone in the Separation, so long as all the Eastern, Southern, Northern, and so great a part of the Western Church, have separated themselves from the Court of *Rome*, and are separated by them from the Church of *Rome* as well as we]. In answer to this, he bids me *shew that those I call Christians, have any infallible or certain Rule of Faith &c.* This is first to hang men up, and then to examine their cause; first to excommunicate four parts of five of the Christian world for their own Interests, because they will not submit their necks to the Roman Yoke, and embrace their upstart Vsurpations, with as much Devotion as the genuine Legacies of Christ and his Apostles. It behoved the Court of *Rome* to have weighed the case more maturely, before they gave such a temerarious sentence, against the much greater part of Christendome, in so weighty a cause. But for *their rule of Faith*, they have a more certain and Authentick Rule than he himself, by as much as the Apostles Creed is a more Authentick rule of Faith, than *Pius* the fourths Creed, and the Holy Scriptures a more infallible ground, than particular supposititious Tradition, which wanteth both Perpetuity and Univerſality.

I said that [we desired to live in the peaceable, Communion of the Catholick Church, as well as our Ancestours, as far as the Roman Court will give us leave]. He answereth, that *he knoweth very well we would be glad that the Church of Rome would own us for hers &c, That Iack Straw or Wat Tiler after they had rebelled, had no mind to be hanged, That it is no Charity or Courtesy in us, but a request of an unreasonable favour from them, to admit us into their Communion, and would be most absurd in Government, &c.* Whether they hold us for theirs or not, is not much materiall; if they did, it were the better for themselves; if they doe not, it is not the worse for us: so as Christ own us for his, it skilleth not much whether they say, *come ye blessed, or goe ye cursed*; whether we be the wheat or Chaffe, their tongues must not winnow us. Although he snuffe at our desire of Vnion: yet God Almighty sers a greater value upon it. He is not out of the Church who is within it in the desires of his heart, and implicitly in the preparation of his mind. Observe Reader who are the procreative and conferving Causes of this Schisme. They frighted us from them with new Articles and Vsurpations, they thrust us from them with new Cen-



Censures and Excommunications; and if we had a mind to return, they tell us *it were absurd in Government to readmit us.* But my chiefeſt wonder is, that he who was the other day, by his own vote, an *Archer* rebell, should talk ſo ſuddainly of *hanging*. Suddain Changes are alwaies dangerous, and for the moſt part perſonated.

He asketh, *whether our Anceſtours did renounce the Popes Authority as Head of the Church?* If he mean a Head of Order, they did not, no more do we: if he mean a Head of Sovereign power, they did, and ſo do we. What I granted once I grant alwaies, it is for Turncoats to take their ſwings. I write *ſemper idem*, of the ſame religion wherein I was baptiſed: can he do the ſame? But he urgeth, that *I make it the top of my Climax, that our Anceſtours threatned to make a wall of Seperation, between the Court of Rome and them, which sheweth that they did it not: but it is evident, that we have done what they onely threatned to doe, and plead for our excuſes, that we have more experience then our Anceſtours had.* I made it the top of my Climax indeed; honeſt mens words are as good as deeds. But doth he thinke that our Anceſtours did onely make counterfeit Grimaces, and threaten that which they could not

Lawfully

Lawfully have performed? *Abſit*: The Lawes and the threatning are eaſily reconciled. Our Anceſtours made very ſevere Lawes againſt the Vſurpations of the Court of *Rome*, as I have ſhewed in particular throughout; but they did not execute them ſo rigorouſly, but connived at many innocent or not pernicious encroachments, in hope the Court of *Rome* and their Emiſſaries, would have kept themſelves within ſome tolerable bounds of moderation. But they found by experience, and we by much longer and ſurer experience, that all our Hopes were vaine; that the Avarice of the Roman Court was not to be ſatiated or to be ſtinted, that if we give them leave to thruſt in their head they would quickly draw in their body after. And therefore our Anceſtours finding this true in a great part, did threaten them to make a wall of *Seperation*, that is, to execute their Lawes rigorouſly, to uſe no more indulgence or connivence, to take away their Coactive power in the Exteriour Court altogether, which the Lawes have taken away before ſufficiently. And we being confirmed by much longer and ſurer experience, have accompliſhed what they threatned. So this *threatned Wall of Seperation* is no new Law, but a new

Mandate to execute the old Lawes; and our experience and our Ancestours materially is the same, but ours is more grounded and more sure; their seperation and ours was the same to point of Law, but not of Execution. And the reason why our Ancestours remedies were not Sovereign or sufficient enough, was not want of virtue in the Remedy, but want of due application. Thus all *Mr. Serjeanis* hopes are vanished, and his Contradictions tumbled to Dust. Great is Truth, and prevaieth.

Pag.  
578.

Yet he keepeth a great stirre and bustling, about our Experience more then our Ancestours, and praith me in his scoffing manner, Good my Lord tell us what this new experiment was; and despairing as it were of successe in his request, he addeth, Since you are resolved to make a secret of this rare Experiment. Now I have told him the secret, what good will it doe him? as much as he may put in his eye and see never a jot the worse. I told him this rare secret before, in these words, We have more experience then our Ancestours had, that their Remedies were not Sovereign or Sufficient enough, that if we give him leave to thrust in his head, he will never rest unill he have drawn in his whole body after, whilest there are no Bonds to hold him  
but

Rep. pa.  
37.

*but Nationall Lawes.* But I was not bound both to write him a Lecture and find him eyes.

Now Readers looke to yourselves, our commeth the great Monster, that hath been so long threatned, (as he phraseth it scurrilously) *in the likeness of a Drunken Dutchman, making indentures with his Legges*: so saith he *my discourse staggers, now to the one, now to the other far distant side of the Contradiction.* The Reader shall find that the fault is not in the innocent Dutchman, who goeth straight enough: but in the Prevaricators eyes, who seeth double. Either he did never know, or he hath forgotten what a Contradiction is. The Itch or humour of Contradicting hath so far possessed him, that he regardeth not what the Rules of Contradiction are. The first Contradiction is, *That the Lawes of our Ancestours were not remedies sufficient enough, yet I maineinstouly that in the Seperation no new Law was made, That is (as he collecteth) the same Lawes were both sufficient and not sufficient.* Is this the monstrous Contradiction which he promised to shew the Readers for pence a piece. The same Lawes were not sufficient in the dayes of

our Ancestours, and yet the same Lawes were sufficient in the Dayes of *Henry* the eighth: hath no shew of a Contradiction in it, nor of any the least opposition, which ought alwaies to be made according to the Rules of Logick, *at the same time.* I will shew him a hundred of these Contradictions, every day in the week for nothing. *Mr. Serjeant* was no Roman Catholick, *Mr. Serjeant* is a Roman Catholick, is just such another Contradiction: or the same Plaster was not sufficient to cure such a sore at one time, yet it was sufficient at another time when the Body was better disposed. All his Contradictions end in smoke and laughter.

The second Contradiction is, that I said *the Lawes of other Countries were equivalent to those of England;* but I acknowledge elsewhere that *the Lawes of other Countries were sufficient;* and here I say that *the Lawes of England were insufficient:* So they were *equivalent and inequivalent.* Here is another Contradiction, like the former. The same Lawes proved sufficient to *France,* yet proved insufficient to *England.* It is another rule in Logick, *Opposition ought to have the same Subject and the same Predicate without ambiguity:* but here the Predicate is diverse, *sufficient for France, not sufficient for England,* and

and ambiguity more then enough. He might as well argue , The same Medicine will work upon a child , which will not work upon a Man: therefore the same Medicine is not equivalent to it self.

The third Contradiction is, that I say *All Catholick Countries did maintein their Privileges inviolate , by meanes which did not maintein them , or by Lawes which were not sufficient to do it.* Where did I say this? It is his Collection not my Assertion: but let it passe muster for once. Here isa Contradiction deserves a Bell and a Bable: Catholick Countries did maintein their Privileges inviolate by such means, at one time not at another, in one place not in another, in one degree not in another, in one respect not in another.

The last mock Contradiction is, that I say *The Lawes which denied the Pope all Authority, and were actually in force , that is , actually left him none , were not sufficient Remedies against the abuses of that Authority , which had quite taken them away.* This is not finding of Contradictions, but making of them. Give him leave to use this [*id est , that is*] and he will make a hundred Contradictions in every page of the Bible ; as here ,

*actually in force, that is, which actually left the Pope no Authority, or which had quite taken his Authority away.* If this [*id est that is*] be mine, then he may object the Contradiction to me, if it be not, then he may keep the Contradiction to himself, such as it is. He knoweth, and all the world know, that a law is said to be actually in force, whilst it is unrepealed; in this sense I did, and all men but himself doe use that expression. And here he committeth a third grosse fault against the Rule of Opposition, which ought to be ever *πρὸς τὸ αὐτὸ, in the same Respect.* The Law taketh away abuses as a Rule; but the Magistrate by due execution, as an Artificer. The Law is sufficient, when it is sufficiently penned and promulged; but the effect followeth the due execution. The not observing of this obvious and easy truth, hath made us all this stirre about Imaginary Contradictions, as I have shewed in my answer to his last Paragraph, which alone is a sufficient answer to all these pretended Contradictions; but whether it will be so *actually in force* to procure his assent, is more then I know; if it do not, it detracteth  
no-



nothing from the sufficiency of the answer.  
Goe *Mr. Serjeant*, goe, bring us lesse  
wind and more weight

*Sapius in libro memoratur Perseus uno .  
Quam levis in totâ Tharsus Amazonide.*

In the last Paragraph is nothing but a Ca-  
lummy against *Henry* the eight, which he is  
not able to prove: and if he were, it nei-  
ther concerneth us nor the Question.

## SECT. VII.

*That the King and Church of En-  
gland proceeded with due Mode-  
ration.*

THIS Section doth not much concern  
either us or the merit of the cause. A  
Reformation might be just and necessary,  
although the Reformers did exceed the  
bounds of due Moderation; neither are  
we answerable for their excesses, further  
then we ourselves doe maintein them. I  
passe by his *pleasant Topick* unsaluted, as  
being impertinent, and having nothing in it  
deserving the least stay of a serious Rea-  
der,

I reckoned this as the first Branch of our moderation, that we deny not to other Churches, the true being of Churches nor possibility of Salvation, nor seperate from Churches, but from Accidentall Errors. For all his scoffing, if their Church would use the like moderation, it would save the world a great deale of needlesse debate. Against that which I say, he objecteth thus, *Now the matter of Fact hath evidenced undeniably, that they (the Protestants) seperated from those points, which were the Principles of Vnity both in Faith and Government.* He hath brought his *matter of Fact* and his *Principles of Vnity* so often upon the Stage already, and they have been so often clearly answered, that I will not insist upon such a threedbare subject, or trouble the Reader with an irksome repetition. We have seen how far his *Principles of Vnity*, or his *Fundamentall of Fundamentalls* is true, and ought to be admitted; and in a right sense, we adhere much more firmly unto them, then the Church of Rome it self.

He proceedeth, that *the Church of England*

England defines, that our Church (the Church of Rome) erreth in matter of Faith *Artic. 19.* The words of the Article are, *Non solum, quoad agenda & Ceremoniarum ritus, verum etiam in iis qua credenda sunt*, that is, *Not onely in Practicall Observations and Ceremoniall rites, but also in those things which are to be believed*, that is (to use Cardinall Cajetans distinction), Not in those things which are *de fide formaliter*, in necessary *Fundamentall Articles* (for we acknowledge that the Church of Rome doth still retein the essentials of Faith), but in those things which are *fidei materialiter*, in inferiour Questions which happen in things to be believed, that is to say *Opinions*, wherein himself acknowledgeth that a particular Church may erre. That this is the right sense of the Article appeareth hence; that the Article doth contradistinguish *Credenda* or things to be believed, not to *Opinions*, but to *agenda* things to be practised.

He urgeth, that we have declared *four points of their faith to be vain Fictions, contradictory to Gods word. Artic. 22.*

That

That is to say, their Doctrin of Purgatory , Indulgences , their Adoration of Images and Relicks, Invocation of Saints. Right, four points of their new Faith, enjoined by *Pius* the fourth , but no Article of the old Apostolicall Faith , and at the best onely Opinions. Yet neither doth he cite our Article right , which doth not define them to be contrary to Scripture , but onely besides the Scripture , or not well grounded upon any Texts of Scripture.

He addeth , *the like Character is given of another point* Art. 28. That is Transubstantiation. *Our highest Act of Devotion* Art. 31. *is stiled a blasphemous fiction and pernicious imposture*: that is , the Propitiatory Sacrifice of the Masse. Concerning Transubstantiation what is our Opinion, I referre him to my answer to *Militier* in the very beginning of it. And concerning their Propitiatory Sacrifice of the Masse, to the same answer pag. 152. Edit. 2. The true state of the Controversy, was not so clearly understood at first on either side as it is now. He cannot goe one step further then we doe in that cause , without tumbling into direct Blasphemy.

It followeth, *And Art. 33. that those who are cut of from the Church publickly, should be held as Heathens and Publicans.* Well, here is no distinction between Roman Catholics and Protestants: And *Franciscus a Sancta Clara*, in his Paraphrasticall Exposition of the English Articles, giveth this Iudgement of this Article, *This Article is Catholick, and agreeable as well to holy Scripture as to antiquity.* Then why doth he snarle at this Article which he cannot except against? Because he conceiveth that the Article meaneth Catholics, or, at least doth include them, Iudge Reader what a spirit of Contradiction doth possesse this man, who when he is not able to pick any quarrell at the words of the Article, calumniateth the meaning, upon his own groundlesse suspicion.

But nothing was more common in the mouths of our Preachers, then to call the Pope Antichrist, the Church of Rome the Vvhore of Babilon, Idolatrous, Superstitious, Blasphemous: and to make up the Measure of his Forefathers sinnes, the Bishop calles here the two Principles of Unity in Faith and Government, errors and Falshoods.

If

If any of our Preachers being exasperated by some such *Bonifacius* as himself, have in their Pulpits used any Virulence or Petulance against the Church of *Rome*; Let him make use of his stile against them, who will furnish him with Lettuce suitable to his Lips; What is that to the Church of *England*? what is that to us? *Quid immerentes hospites vexat Canis — Ignavus adversus lupos?* Let him but observe what Liberty he himself taketh, without any manner of Provocation. But as for my self he doth me notorious wrong, I did not mention any Principles of Vnity in this place, nor so much as dream of them, but that he must needs bring them in by head and shoulders, in every Paragraph. All I said was this, That we doe not separate from other Churches, but from their Accidental Errours: but some men are like Nettles touch them gently and they sting you.

The first part of our Moderation was, not to censure other Churches for no Churches, nor deny them possibility of Salvation, nor thrust them from our Communion; which I shewed in the Example of *St. Ciprian*. In answer to this he sheweth the unlawfulness of *Communicating with Idolaters*, which is *reconciling Christ with Antichrist*. Was not this impertinent, if he himself

self were Iudge?

I said, *it might be very lawfull in some cases, to communicate with materiall Idolaters Hereticks and Schismaticks*, (that is such as erre through ignorance and frailty, not obstinacy) *in Religious Duties*. And for prooffe hereof, I produced the inståce of the Primitive Christians, communicating in some cases with the Hereticall *Arrians*, and the Schismaticall *Novatians*. He demands first *who forbids them to goe visit the sick?* I adde, or pray with them also? which was as much as I said there, but because he falleth with such Violence upon the point, I will now take the Liberty to expresse my self more fully. First, it is to be remembered that I did speake onely of Materiall Idolaters Hereticks or Schismaticks, not Formall. Secondly, of pious Offices not of Idolatrous Acts, nor any thing favouring Heresy or Schisme. Thirdly, I do new exclude case of Scandall, for just scandall may make that Act to be unlawfull, which in it self is Lawfull. Fourthly, I except cases of Just Obedience, the prohibition of a lawfull Superiour Civill or Ecclesiasticall, may make that Act to be unlawfull, which was Indifferent. Lastly, I distinguish between persons Learned and grounded in Religion, and persons unlearned and ungrounded; the



the former may and ought to communicate with Idolaters Hereticks and Schismaticks, as far as they can with a good Conscience, to gain them to the truth; the latter are obliged not to come over near to pitch, least they be defiled.

The Question being thus stated, I believe the main point hath no great Difficulty in it. For they who are Idolaters Hereticks or Schismaticks onely materially, not formally, that is, against their meanings resolutions and intentions, are no Idolaters Hereticks or Schismaticks, in the eyes of God or discerning men; neither are they out of the Pale of the Church, or out of the way of Salvation as the Bishop of *Chalcedon* saith most truely, *Vve allow all those to have saving Faith, to be in the Church, in way of Salvation, for so much as belongeth to Faith, who hold the Fundamentall points, and invincibly erre in not Fundamentalls.* But all Idolaters Hereticks and Schismaticks, who are onely materially Idolatrous Hereticall or Schismaticall, doe erre invincibly: for if they erred vincibly, then they were formall Idolaters Hereticks or Schismaticks.

De  
Fundament.  
cap. 2.  
pa. 62.

Thus

Thus much I lay down for certain ; the  
 rest I onely propose , that although they  
 were formall Hereticks or Schismatics,  
 yet they are not altogether out of the Pale  
 of the Church , but onely in part, *Ex ea*  
*parte in texura compage deinermur, in cetera*  
*scissi sunt*, So farre they are woven into the web,  
 for the rest they are divided, as St. Austin saith,  
 And Bellarmine out of him acknowledgeth,  
 that they are absolutely in the Church, un-  
 till they goe out of it by Obstinacy, (which  
 they who ate onely materially Hereticks or  
 Schismatics do not) : and after they are  
 gone out of the Church by Obstinacy, yet  
 they are still in the Church *secundum aliquid*  
*non simpliciter, not absolutely but respectively or*  
*in part*. And after he hath vapoured a long  
 time to no purpose, thus much is acknow-  
 ledged by himself, as long as Schismatics  
 are not hardened into an Obstinacy (as no Schis-  
 matics are who are onely materially  
 Schismaticall), there is a prudentiall Latitude  
 allowed by the Church, delaying her Censures  
 as long as she can possibly, without wronging her  
 Government; as was de facto practised in  
 England till the 10 of Queen Elizabeth.  
 This is full as much as I said, that it may be  
 lawfull to communicate in some cases with  
 materiall Schismatics,

*Aust. li.*  
*1. de*  
*baptis.*  
*cont.*  
*Donat.*

*Bell. de*  
*Eccl. l.*  
*3. ca. 4.*

*pag.*  
*585.*

And

And whatsoever I said, was rather to make a Charitable Construction of their materiall Idolatry, then out of fear that they should be able, to attaint us of any Schisme either materiall or formall: if he had any thing of reality to object against us, he would be ashamed to intimate our inclinations to favour Arrianisme, which he himself knoweth our soules abhorre, and which he himself knoweth to be expressely condemned, in the second Article of our Church. He may find my Instances of the Primitive Christians, communicating with the *Arrians* and *Novatians* in Church Offices, in my answer to the Bishop of *Chalcedons* Preface, pa. 36, if he have any thing to say to them. Neither was it at the first sprouting of the *Arrian* Heresy, but after they had formed severall Doxologies to themselves; nor at the First beginning of the *Novatian* Schisme, but towards the Conclusion of it. I cited *St. Cyprian* for no other purpose, but to shew that his moderation in abstaining from censuring did preserve him free from Schisme, although he was in an error. When *Optatus* called the *Donatists* his Brethren, he did not mean his Brethren in *Adam*, but his Brethren in Christ, and wonders why his Brother

ther *Parmenian* (a *Donatist*) would ranke himself with *Hereticks*, who were falsifiers of the Creed. If this be the infallible marke of an *Heretick*, Let *Pius Quartus* and his party looke to themselves.

I disliked a position of his, which the Reader shall have in his own words, *I cannot say my Religion is true, but I must say the Opposite is false; mine is good, but I must say the Opposite is naught; mine necessary, but I must Iudge that which is inconsistent carries to damnation. Therefore who does not censure a Contrary Religion, holds not his own certain, that is, hath none.* Upon this he pursueth me with a full Crye, that the *Common Principle of Nature* [if any thing be true the Opposite is false], or [a thing cannot both be and not be at once], is denied by the Bishop. Stay *Mr. Serjeant*, be not so fierce; the Bishop knoweth as well as your self, that the disjunction of Contradictories is eternall: and it seemeth by what passed lately between us, that he understandeth the Rules of Opposition or right Contradiction better then your self.

First the *Emphasis* lieth not in the word [true], but in the words [say] and [censure]. Cannot a man believe or hold his own Religion to be true, but he must necessarily say or censure another mans, which he conceiveth

to be opposite to it, to be false. Truth and Falshood are Contradictory, or of eternall Disjunction; but there is a meane, between believing or holding mine own Religion to be true, and saying or censuring another mans (which perhaps is opposite) to be false, both more prudentiall and more charitable, that is, silence; to looke circumspectly to myself, and leave other men to stand or fall to their own Maister. *S. Cyprian* did believe or hold his own Opinion of Rebaptisation to be true, yet did not censure the opposite to be false, or remove any man from his Communion for it. *Rabshakeh* was more censorious then *Hezekiah*, and down right Atheists then conscientious Christians.

Secondly, that which he calleth his Religion, is no more in truth then his Opinion; and different Opinions are stiled different Religions. In opinions it is not necessary to hold with any party, much lesse to censure other parties. Sometimes seeming different Opinions are both true, and all the Opposition is but a Contention about words, and then mutuall censures are vaine: sometimes they are both false, and then there is more use of Mutuall Charity then mutual Censures; and evermore whether

ther true or false, an Errour against Charity, is much greater then a meer Ipeculative errour in Iudgement. Prejudice and selflove are like a coloured glasse, which makes every thing we discern through it, to be of the same colour: and on the other side rancour and animosity, like the tongue infected with Choller, maketh the sweetest meats to tast bitter; In each respect censures are dāgerous and his principle pernicious, that *He who doth not censure every Religion which he reputeth contrary to his own, hath no Religion.*

I set down some Principles, whereof this is the first, [particular Churches may fall into Errours.] He answereth, *tis true if by Errours he means Opinions onely.* No, I mean Fundamentall Errours also: and not onely fall into some Fundamentall Errours, but apostate from Christ and turn Turkes, and change their Bible into the *Alchorā*; whereof we have visible experience in the world. He answers, that *Principle is not so undeniable as I thinke, in case that Particular Church adhere firmly to her rule of Faith, Immediate Tradition.* Well, but we see visibly with our eyes, that many particular Churches have not adhered to any Tradition, Univerfall or Particular, Mediate or Immediate, but have abandoned all Aposto-

licall Tradition, then to what purpose serveth his Exception, *in case that Church adhere firmly to immediate Tradition*, when all the World seeth that they have not adhered firmly to Apostolicall Tradition? His Preservative is much like that, which an old Seaman gave a freshwater Passenger when he was to goe to Sea, to put so many pibble stones into his mouth, with assurance that he should not cast, whilest he held them between his teeth. What sort of Tradition ought to be reputed Apostolicall, what not, I have shewed formerly.

My second Principle was, that [all Errours are not Essentialls or Fundamentalls]. He demands, *what is this to his Proposition which spake of Religion, not of Opinions?* Very much, because he maketh Opinions to be Essentialls of his Religion (as wee see in the new Creed of *Pius* the fourth), so do not we. To the third Principle we agree thus farre, that an Errour *de fide formaliter*, or in those things which are Essentialls of Faith doth destroy the being of a Church. I adde, that Errours in those things, *Quæ sunt fidei materialiter*, that is, in Inferiour Questions which happen in or about things believed, or which are not in Essentialls, howsoever they may be lately crowded into the



Catalogue of Essentials, do not destroy the being of a Church.

My fourth Principle was, that [every one is bound according to the just extent of his power, to free himself from such Errours as are not in Essentials.] He answereth, *Why so my Lord? if those errours be not Essentiall, they leave according to your own Grounds sufficient means of Salvation, and the true being of a Church; How prove you then you ought to breake Church Communion? &c.* As if no Errours ought to be remedied, but onely those which are absolutely exclusive from all hope of Salvation: as if those Errours which are onely impeditive of Salvation, ought not to be eschewed. The least Errour maintained or committed against the dictate of Conscience is a sinne; every good Christian ought to doe his uttermost endeavour to free himself from sinne; it is not lawfull to doe evill that good may come of it. Yes, saith he, but *not to break Church Communion which is essentially destructive to the being of a Church, or to endanger our soules where there is no necessity.* First, they who free themselves from known Errours, doe not thereby break Church-Communion: but they who make their Errours to be a

Brief  
Survey  
cap. 2.  
f. 4.

Condition of their Communion. Let him heare the Conclusion of the Bishop of Chalcedon. *In case a Particular Church do require profession of her Heresy, as a Condition of Communicating with her, Division from her in this case is no Schisme or sinne, but virtue and necessary; Where he speaketh onely of materiall Heresy. It was they who made their Errours the Condition of their Communion, and therefore the Schisme and sin lyeth at their doores. Secondly, Schisme doth not destroy the being of a Church, for the Church continueth a Church still, after the Schismaticks are gone out of it: but it destroyeth the Schismaticks themselves. Lastly, to free ourselves frō known Errours, when they are made Conditions of Communion, is so far from being dangerous to salvation, that as the Bishop confesseth truely, it is virtue and necessary.*

The second prooffe of our Moderation was our Charity, that we left them as one should leave his Fathers house, whilest it is infected with some contagious Sicknesse, with an hearty desire to return again so soone as it is cleansed. This Charitable desire of ours, I prooved by our daily prayers for the in our Letany, that God would bring them out of the way of Errour into the way  
of

of truth; and particularly by our prayer on Good Fryday for them, That God would have mercy upon all Hereticks, and fetch them home to his Flock, that they may be saved among the remnant of true Israelites, and be made one fold under one Shepheard Iesus Christ our Lord. And this our Charity is the more conspicuous by this, that in *bulle cane*, that is the next day before, anniverfarily, they doe as solemnly curfe and Anathematize us. To this he answereth, first that *they doe more for us*, and *hazard their lives dayly to convert us*. They hazard their lives to serve a forrein interest; not to convert, but to pervert as many as they can; not to sow good seed in the Lords Field, but to superfeminare, or sow Tares above the wheat. We should thank them more to stay at home, then to compasse Sea and Land to gaine Profelites as the Pharisees did, and made them two-fold more the Children of Hell then themselves. He saith, that *this is the solemne Custome of their Church every Good Friday*. Let it be so; but they have not the same incentive and provocation which we have, we do not curfe and Anathematise thē the day before, as they doe us. This Advantage we have over them, that we render blessing for cursing, which they doe not.

He addeth, that *they cannot be understood under the notion of Hereticks; first because we acknowledge theirs to be a true Church, and therefore not hereticall; Secondly they are of Christs Flock already, and therefore not reducible to his Flock.* To the First I answer, that a particular Church which is onely materially Hereticall, not formally, doth still continue a true Church of Christ. The Bishop of *Chalcedon* understood these things much better then himself, this is confessed by him in the place formerly alleged, *A particular Church may be really Hereticall or Schismaticall, and yet morally a true particular Church, because she is invincibly ignorant of her Heresy or Schisme.* We agree with him wholly in the sense, onely we differ in the expression. What he calleth *really Hereticall*, we stile *materially Hereticall*; and what he calleth *morally a true Church*, we use to stile *Metaphysically a true Church*, that, is by truth of Entity not of Morality. Secondly I answer, that the Flock of Christ is taken variously, sometimes more largely, sometimes more strictly; more largely for all those that are *In domo*, by outward profession; more strictly for those who are *Ex domo*, so *in the Church*, that they are also *of the Church*, by inward Sanctification. And our Collect hath reference to this later ac-

ception

Brief  
Survey  
cap. 2.  
sect. 4.

ception of this word [*Flock*]: So Fetch them home blessed Lord to thy Flock, that they may be saved.

He taketh it ill, that our Church hath chāged these words in the Missall [*recall them to our Holy Mother the Catholick and Apostolick Church*], into this dwindling puling puritanicall expression, of [*one Flock and one Fold under one Shepherd*]. Whether it be because he hath a Pick against Scripture phrases, as sounding too preacherlike; or rather because our Church did presume to name the right Shepherd *Iesus Christ*, and not leave it to their Glosses to entitle the Pope to that Office. But certainly the Authority of the Catholick Church, is not formidable at all to any Genuine Sonnes of the Church of England.

I doe readily acknowledge, that it is the duty of each Orthodox Church to Excommunicate Formall Hereticks, and them who swerve from the Apostles Creed as the rule of Faith; but this doth not oblige the Church of England to Excommunicate all materiall Hereticks, who follow the dictate of their conscience, in inferior Questions which are not Essentials of Faith, and do hold the truth implicitly in the preparation of their minds. Neither do I ever know that the Church of England did

Euseb. li.  
5. cap.  
24.

pa. 590

did ever excommunicate Papists in grosse *quatales*, but onely some particular Papists, who were either convicted of other Crimes, or found Guilty of Contumacy. It were to be wished, that the Court of Rome would use the same Moderation, and remember how *Ireneus* reprov'd Pope Victor, *that he had not done rightly, to cut of from the Vnity of the Mysticall body of Christ, so many and so great Churehes of God.* This is that great nonsense, which this egregious Prevaricator hath found in our Collect, that *the English Church cannot reconcile her doctrine and her practise together.* Let him not trouble his head with that, but rather how to recouile himself with his own Church. He will have prayers to be onely words no works: but his Church maketh Prayer, Fasting and Almes, to be three satisfactory works.

My third prooffe of our Moderation was, that we doe not challenge a new Church, a new Religion, or new holy Orders: but derive our Church, our Religion, our Holy Orders, from Christ and his Apostles by an uninterrupted Succession; we obtrude no Innovations upon others. All this is quite omitted by this great pretender to Sincerity, and yet he knoweth or may know, that there have been, pretended Reformers, who have committed all these excesses.

But

But he catcheth hold of two words of my defence, that we have *added no thing* ( I wish they could say as much ) nor *taken away any thing but Errours*. To the former part he excepteth, that *he who positively denies, ever addes the contrary to what he takes away*; *He that makes it an Article there is no Purgatory, no Masse, no prayers to Saints*, hath as many Articles as he who holds the Contrary. I have taken away this answer before, and Demonstrated that no negative can be a Fundamentall Article, or necessary *Medium* of Salvation, because it hath no Entity; That there are an hundred greater disputes and Contradictions among themselves, in Theologicall Questions, or in these things *quæ sunt fidei materialiter*, then those three are between us and them; Yet they dare not say, that either the Affirmatives or Negatives are Articles of Faith. The Christiā Church for fifteen hundred yeares, knew never more then 12. old Articles of Faith, untill Pius the 4th added twelve new Articles. And now this young *Pythagoras* will make us more then 1200. Articles, affirmative Articles and Negative Articles, Fundamentall Articles and Super-structive Articles. Every Theologicall truth shall either be a Fundamentall Article, or an indifferent and unconcerning Opinion.

He



pag.  
593.

He saith, our 22. Article defineth the *Negative* to Purgatory: yet I like an ill tutored Child, tell my old Crasy Mother the Church of England that she lies. I hope by this time the Reader knoweth sufficiently, that his penne is no slander. If the Church of England did ever ill, it was when she begot him. Neither doe I tell the Church of England she lies, nor dissent in the least from the Definition of the Church of England: neither doth the Church of England define any of these Questions as necessary to be believed, either *necessitate medii*, or *necessitate praecepti* which is much lesse, but onely bindeth her sonnes for peace sake not to oppose them. But he himself can hardly be excused from lying, where he telleth us the good simple Ministers did sweare to maintein them. Perhaps he was one of the simple Ministers, did he ever sweare to maintein them? did he ever know any man who did sweare to maintein them? For him to urge such falshoods after they have been so often dete~~ct~~ed, is double Effronterie, *Periisse puto cui pudor periit*. He inferreth further, By the Bishops Logick, these propositions that there are not two Gods, that the devills shall not be saved, nor the Saints in Heaven damned, that there is no Salvation but through

*through Christ ; must cease to be Articles of Faith , and become indifferent unconcerning Opinions , because they are Negative. I wish no more disparagement to any man, then to be the authour of such an absurd assertion, Either they are Fundamentall Articles, or unconcerning Opinions. How should they cease to be Articles, which never were Articles ? That there is one God , and one Saviour Iesus Christ, that the life of the Saints is everlasting , and the Fire of the devills Everlasting , are Articles of Faith : but every thing which may be deduced from these , is not a distinct Article of Faith.*

*To the latter part of my plea that we tooke nothing away but weeds, he pleadeth, first that it is but a self-supposition , or a begging of the Question. By his leave, I have demonstrated that all the Branches of Papall power , which are in controversy between them and us , are all grosse Vsurpations and weeds, which did never sprout up in the Church of England untill after 1100 yeares ; no man can say without shame, that such were planted by Christ or his Apostles. Secondly he excepteth, that to take away Errors, is a requisite act of Justice, not a proove of Moderation : On the contrary , therefore it is a proove of Moderation, because it is a requi-*

requisite Act of Iustice; all virtue consisteth in the meane or in a moderation. It is not his particular, pretended, supposititious Tradition, which doth secure us that Christ was, and that the Holy Scripture is the Genuine word of God; but the Vniversall and perpetuall Tradition of the Catholick Church of Christ.

My last prooffe of our Moderation was, that we are ready in the preparation of our minds to believe and practice, whatsoever the Catholick Church of this present Age doth believe and practice. And this is an infallible preservative to keep a man within the Pale of the Church, whosoever doth this Cordially, cannot possibly be a formall Heretick or Schismatick, because he is invincibly ignorant of his Heresy or Schisme; *No man can have iust cause to sepe-  
rate his Communion, a Communione or-  
bis Terrarum, from the Communion of the  
Christian world.* If he would have confuted this, his way had been to have proposed something which the Christian World united doth believe or practise, which wee are not ready to believe or Practice. This he doth not so much as attempt to doe, but barketh and raileth without rime or reason. First he telleth us we say that there is no *Uni-  
versall*

*Ang.*  
*Epi.*  
48.

*versall Church.* Chuse Reader whether thou wilt believe him or our Leiturgy, wherein we pray dayly, that God *will inspire the Vniversall Church with the Spirit of Truth Unity and Concord.* He telleth us, that *they doe not doubt but we have renounced our Creed.* Chuse Reader whether thou wilt believe him or our Leiturgy, wherein we make profession dayly of the *Apostolick, Nicene, and Athanasian Creeds.* He telleth us, that we have *renounced our reason.* If he had said onely that we had lost our reason, it is more then any man in his right wits would say : but to say we have renounced our reason, is incredible.

The reason of all this is, because we give no certein Rule to know a true Church from an Hereticall. He supposeth, that no Hereticall Church is a true Church. The Bishop of *Chalcedon* may instruct him better, that an *Hereticall Church is a true Church whilest it erreth invincibly.* He saith that *he hath lived in Circumstances, to be as well acquainted with our Doctrin as most men are:* Yet he professeth that *if his life were at stake, he could not deter-*

*Determine absolutely upon our Constant Grounds, Whether Presbyterians Anabaptists or Quakers are to be excluded from the Vniuersall Church or no.* The nearer relation that he hath had to the Church of *England*, the more shame for him to scoffe so often at the supposed Nakednesse of his Mother, and to revile her so virulently, without either ground or Provocation, which gave him his Christian being. He hath my Charitable Iudgement of Presbyterians, in my Reply to the Bishop of *Chalcedons* Epistle. And for the other Sects, it were much better to have a little patience and suffer them to dye of themselves, then trouble the world so much about them: they were produced in a Storme and will dye in a Calme. He may be sure they will never molest him, at any Councell either Generall or Occidentall. It is honour enough for them to be named in earnest by a Polemick writer.

But what manner of Disputing is this, to bring Questions in stead of Arguments? As what new Form of Discipline the Protestants have introduced? What are the certain Conditions of a right Oecumenicall Councell? What is the Vniuersall Church, and of what particular Churches it doth consist?

consist? What are the notes to know a true Church from an Hereticall? We have introduced no new discipline, but retained the old. Our Conditions of a right Oecumenicall Councell, are the same they were, not altogether so rigorously exacted in case of invincible necessity. We are readier to give an account of ourselves, then to censure others: either to intrude ourselves into the Office of God, to distinguish perfectly formall Schismatics from materiall; Or into the Office of the Catholick Church, to determine precisely who ought to be excluded from her Communion, who not. We exclude all those whom undoubted Generall Councils have excluded, the rest we leave to God, and to the determination of a free Councell as Generall as may be. But because I would not leave him unsatisfied in any thing, I am contented to admit their own Definition of the Vniversall Church, That is, *the Company of Christians knit together by the profession of the same faith, and the Communion of the same Sacraments, under the Government of lawfull Pastours.* Taking away that purple patch, which they have added at the latter end of it, for their own Interest, *And especially of the Roman Bishop, as the onely Vicar of Christ.*

Cc

*Christ upon Earth.* And if they had stinted at a Primacy of Order, or beginning of unity, I should not have excepted against it.

He objecteth, that *Protestants have no grounds to distinguish true believers from false.*

That were strange indeed, whilst we have the same Scriptures, interpreted by the same perpetuall Tradition of the Vniversall Church, according to the same Analogy of Faith (wherein we give this honour to the Fathers, not to be Authours but witnesses of Tradition); whatsoever grounds they have to distinguish true believers from false, we have the same. But because I made the Apostles Creed to be the rule of Faith, he objecteth, *First, then the Puritans who deny the Article of Christs descent into Hell, must be excluded quite from the Universall Church.* If they be so, what is that to the Church of England? if they be turned out, yet let them be heard first. They plead that the manner of Christs descent is not particularly determined; but let it be determined or not, they ought to be turned out of the Vniversall Church by a Generall Councell; and it may be they will submit to the Authority of a Generall Councell, then there will need no turning out. Secondly he objecteth, *So a man may reject all Government of the Church,*  
*the*



the Proceſſion of the Holy ghoſt, all the Sacraments, all the Scriptures, and yet continue a Member of Gods Church. Why ſo? When I ſaid the Creed was a ſufficient Rule of Faith, or *Credendorum* of things to be believed; I neither ſaid nor meant, that it was *regula agendorum*, a Rule of ſuch things as are to be practiſed; ſuch as the Acts of diſcipline and of the Sacraments are. The Creed contained enough for Salvation, touching the Proceſſion of the Holy Ghoſt, before the words [*Filioque*] were added to it; and there is great cauſe to doubt, that the Contentions of the Eaſtern and Weſtern Churches about this Subject, are but a meer *Logomachy* or ſtrife about words. The Scriptures and the Creed are not two different Rules of Faith, but one and the ſame Rule, dilated in the Scripture, contracted in the Creed; the end of the Creed being to contain all Fundamentall points of Faith, or a ſummary of all things neceſſary to Salvation, to be believed *Necceſſitate mediis*; But in what particular writings all theſe fundamentall points are contained, is no particular fundamentall Article it ſelf, nor contained in the Creed, nor could be contained in it; ſince it is apparent out of Scripture it ſelf, that the Creed was

made and deposited with the Church as a Rule of Faith, before the Canon of the new Testament was fully perfected. *Arrians* and *Socinians* may perhaps wrest the words of the Apostles Creed, to their Hereticall Sense: but not as it is explained by the first foure Generall Councells, which all Orthodox Christians doe admit. He saith, they and we differ about the sense of two Articles of the Creed, that is the descent of Christ into Hell, and the Catholick Church, but setteth not down wherein we differ. He hath reason to understand our Differences, having been of both Churches: but I for my part do rather believe, that he understandeth neither part right. Howsoever it be, the Different Sense of an Article doth make an Heretick, after it is defined by the Vniuersall Church, not before.

He saith, *he hath already shewed in the foregoing Section, that the Protestant Grounds, have left no Order and Subordination of Vniuersall Government in Gods Church.* But he hath neither shewn it in the foregoing Section, nor any where else, nor is able to shew it. We have the same subordination that the Primitive Church, of Inferiour Clergy men to Bishops, of Bishops to Archbishops, of Archbishops to Patriarchs, and of Patriarchs

archs to a Generall Councell, or as Generall as may be. Let him shew any one linke of this Subordination that we have weakened. I said [we acknowledge not a Virtuall Church, or one man as infallible as the Vniversall Church]: He rejoineth, *Nor they neither.* I wish it were so Generally: but the Pope and Court of *Rome*, who have the power of the Keys in their hands (whō onely we accuse in this behalf) do maintain the Contrary; that a Generall Councell without the Pope may erre; that the Pope with any Councell Generall or particular, cannot erre; that the infallibility of the Church is radicated in the Pope, by virtue of Christs prayer for *S. Peter*, *that his faith should not faile*, not in a company of Counsaillers, nor in a Councell of Bishops; that the Pope cannot define temerariouly, in matters of Faith or good manners, which concern the whole Church. What a Generall Councell is, and what the Vniversall Church is, and who ought to be excluded from the one or the other as Hereticks, I have shewed already; namely, all those and onely those, who doe either renounce their Creed, the badge of their Christianity, the same Faith wherinto they were baptised;

or who differing about the sense of any Article thereof, have already been excluded as Hereticks, by the sentence of an undoubted Generall Councell.

Howsoever he sleighteth the Controversies which they have among themselves, concerning the last resolution of Faith, as if they were of no moment: yet they are not of so little concernment to be so sleighted. What availeth it to say they have the Church for an infallible Iudge; whilest they are not certain or do not know what the Church is, or who this infallible Iudge is? May not a Man say unto them as *Elijah* said unto the Israelites, *Why halt ye between two Opinions?* Or rather why halt yet betwixt five or six Opinions? If the Pope alone be infallible Iudge, follow him; If a Generall Councell alone be this infallible Iudge, follow it; If the Essentiall Church be the infallible Iudge, Adhere to it; If the Pope and a Generall Councell, or the Pope and a particular Councell, or the Pope and his Conclave of Cardinalls, be this infallible Iudge, follow them.

He telleth us, that *their Vniuersall Church, is as Visible as the sun at Noone day, to wit, those Countreyes in Communion with the See of Rome.* Without doubt they are Visible enough:

enough: but it is as Visible, that they are not the Vniverfall Church. What shall become of all the rest of the Christian world? They are the elder Christians, and more numerous fower for one, both Patriarchs and people. It is against reason that one single Protopatriarch, should cast out fower out of the Church, and be both party and Iudge in his own Cause. But here it ends not; If the Pope will have his Visible Church to be one Homogeneous body, he must cast out a great many more yet, and it is to be suspected this very *Dispatcher* himself among the rest, for all his shewes. They flatter the Pope with Generall Terms of *Head*, and *Chief Governour*, and *First Mover*, which signify nothing: but in reality they would have the Pope to be no more, then the Duke of *Venice* is in the Venetian Common wealth, that is, lesse then any single Senatour: Or that which a Generall Maister is in a Religious Order; Above all Priours and Provincialls, but subject to a Congregation Generall. Wherein doe these men differ from us?

*Bell. de  
Concil.  
lib. 2.  
cap. 14.*

## Sect. 8.

*That all Princes and Republiques of the Roman Communion, doe in effect the same thing which Henry the eighth did, when they have Occasion; or at least doe plead for it.*

**T**his was the Title and this was my scope of my Fifth ground; which I made good by the Lawes and decrees of the Emperours, with their Councells and Synods and Electorall College: by the Lawes of France, the Liberties of the Gallican Church, the Acts of their Parliaments, and declarations of their Vniversities: By the practise of the King of Spain, his Councells, his Parliaments, in Sicily, in Castile, in Brabant and Flanders: By the *sights* of *Portugall* and their *blearings*, and the Iudgement of the Vniversity of Lisbon: By the Lawes and Proclamations of the Republick of Venice. This I made good, in every particular branch of Papall power which we have cast out of England; the Patronage of the English Church, The right to call and confirm Synods, to conferre Bishopricks, to receive Tenths and First fruits and Oaths of Fidelity, and concerning

ning the Supreme Legislative Dispensative and Iudiciary power, in all things pertaining to the Externall Regiment of the Church. To all this, neither the Bishop of *Chalcedon* nor *Mr. Serjeant*, either in his former Answer or in this rejoinder (although provoked), have offered one word of Answer.

This Plea doth utterly destroy their pretense of *Divine right* and of *uninterrupted Tradition*, for all these Branches of Papall power. Can any man be so stupid as to Imagine that to be of *divine right*, which was first tacked into the Church, with so much Opposition, after eleven hundred yeares? or that to be grounded upon perpetuall and Vniversall Tradition, which hath been opposed in all Ages since it was devised, in all places, by all sorts of persons; Kings and their Parliaments and Councells, Synods and Vniversities, Divines and Lawiers? What shamefull Tergiversation is this, which no ingenious Adversary could be guilty of, but out of invincible necessity? Thus he served me where I produced all our old English Lawes. Thus he served me where I produced their own Authours to testify the intolerable extortions and Vsurpatio<sup>n</sup>s of the Rom<sup>a</sup> Court. Thus he serveth me here, and in place of so many lawes and

Pro-



Proclamations, and Placaets, and Synodall Acts, and Iudgements of Vniuersities, he shuffleth in so many of his fiddle-faddle Contradictions, which are not all worth a deafe Nut. If it were not that I have proceeded so far already; and *Toto deuorato Boue, turpe est in Cauda deficere*, I would not Vouchsafe to answer them but with Contempt.

Thus he begins, *Nine or ten self Contradictions in one Section*. He speaketh modestly, if there be one, there are nine hundred. This word [in effect] saith he, *deserves a Comment*. It hath a Comment, wherein his feigned Contradictions were satisfyed, before they were hatched by him; the more uningenuous person he, to take no notice of it. He may find it in my reply to the Bishop of *Chalcedon* cap. 7. s. 2. pa. 243. Other Princes of the Roman Communion have made lawes as well as we, to renounce and abrogate all those branches of Papall Authority which we cast out, that is, onely Papall Vsurpations: but neither they nor we ever *defined against Essentiall right*. We deny not to the Pope a Superiority of Order above the Archbishop of *Canterbury*, but we deny him a Superiority of power in the Exteriour Court, that is, we deny him the supreme Iudiciary Power; so did they. *King Henry*

Henry the eighth abolished the Iurisdiction of the Bishop of Rome within his Dominions, but the Emperours did not so; If they did not so, yet if they pleaded for it, or justified it, it is as much as I said: And if they did it by parcells (as I have shewed they did) though they did it not in grosse, it is the same thing in effect. Our Ancestours threatned the Pope to make a wall of Separation between him and them, not by making a new Law, for it was the Common Law of England; but by declaring the Law, by executing the Law: And though they had threatned him to make one generall Law, against all his Vsurpations in grosse; yet formerly having made single Lawes against the same in particular, it was but the same in effect. This sucking Contradiction hath been answered sufficiently in the last Section. He saith, *our Controversy is not about the extent of Papall Power, but about the right it self.* The just Contrary is true; Our Controversy is onely about the extent of Papall Power, or about those particular Branches of Papall power which we have cast out. He loves to hover in Generalls; but we shall bring him willingly, or against his will, to descend to particulars.

He

He taketh notice here, of my complaining that they answer not particulars, and I assure the Reader that if their cause would have born it, they would have answered them. Observe but how tame he is upon this Provocation, that useth to be so fierce without any Provocation. All the Answer it doth extort from him is, *Was ever man so ignorant of the common Lawes of Disputing? Needs any more answer to be given to particulars which one yields to, then to say he grants them?* If he be over much acquainted with the Lawes of disputing, *Reddat mihi Minam Diogenes;* Let him who taught me Logick give me my Money again. But it is well we have his *Concedo omnia &c,* We grant all his particular Instances of these Contests between Kings and Popes: Yet not so very well neither; for what he granteth with one hand, he taketh away with the other, *Not entering into that dispute, how farre they were done Iustly, how farre unjustly, which is little to our purpose, since the Authority it self is acknowledged on both Sides.* It is little to their purpose indeed, but it is much to ours. Is the Papall Power acknowledged, where the Popes Sovereign Power, his Legislative power, his Iudiciary Power, his dispensative power are all opposed?

fed? Much good may his *dry Papacy* (as he pleaseth to call it sometimes) do him. In every one of these Instances, besides meer matter of Fact, there is an Inference to matter of right. The *Common Lawes of Disputing* require that he should have answered that, as well as granted the other. If his *Dispatches* be such as this, he may dispatch more answers in a day, then *St. Austin* could have made Oppositions in a yeare.

When I said, what is the Ground of his Exception, Nothing but a Contradiction? he urgeth, that *I make account a Contradiction is a matter of nothing*. No, but I meant that his vain Objecting of Imaginary Contradictions, is a matter of nothing. Twenty of them will not amount to one Fleabiting: and I shewed him, that this ridiculous Contradiction which he bringeth here, is such an one. The pretended Contradiction is this, that *their Doctrin concerning the Pope is injurious to Princes, and prejudices their Crownes: and yet, that they hold and doe the same in effect against the Pope that Protestants doe*. A doughty Contradiction; both parts are as true as can be, *referendo singula singulis*,  
refer-

referring what I said to the right Subject, as I applied it. The Doctrin of the Pope and Court of *Rome* is injurious to Princes, (of whom I speake expresly and no others;) and yet soveraign Princes and their Councells have held and done, the same things against the Pope in effect that Protestants doe. Iust such another Contradiction as this, The *Guelphes* are for the Pope against the Emperour: yet the *Gibellines* are for the Emperour against the Pope, and both Factions Roman Catholicks. Thus he changeth Subjects, and Predicates, and times, and respects, and all Rules to make a Contradiction. But his defence is more ridiculous then his pretended Contradiction, That the *substance of the Popes Authority is the point which belongs to me to impugn*. So the Contradiction lieth not in what I did say, but what I should have said, or rather what he would have had me to have said. When his *Substance of Papall Authority*, hath lost all its extent (which he gives every man leave to question), it is an *Indivisible* indeed. His second Exception is just such another. I pleaded that [I speake expresly of the Pope and Court of *Rome*]: He rejoineth, *No my Lord, but I would not let you change the Subject of the whole Question*. If he will change my sense,

sense, he must take the Contradiction upon himself. These are the *Common Rules of disputing* with this great Dictatour in Logick.

I chanced to say, that [our Religion and theirs is the same]. He bids me *answer seriously, whether the Roman Religion and ours do not differ in this very point of the Popes Supremacy?* If the Roman Religion be the Christian Religion, then our Religion is the same. Every Difference in this point or another point, doth not make a Diverse religion. A Garden weeded and a Garden unweeded is the same Garden. We esteem it an honour to be Christians, and no Dishonour to us that we are no Papists; what they think of us concerneth themselves not us. We do gladly admit the old Apostolicall Rule of Religion: but we like not their new Rules or new Creeds. And we are ready for peace sake, to attribute as much to the Pope as many of their own Doctors doe, that is, a Primacy of Order or beginning of Vnity: and the not accepting of this, renders them guilty of Schisme and breaking the Vnity of Gods Church.

He demandeth, *if these rigorous Assertions be not the Generall Tenet of their Church, whom do we impugn?* We  
impugn

impugn the Pope and Court of Rome, whose Tenets these Rigorous Assertions are, upon which they grounded their manifold Vsurpations, which we have cast out deservedly; and for so doing they have excommunicated us, and so broken the Vnity of the Church. The substance of the Popes just Authority is no more then a Primacy of Order, or beginning of Vnity at the most; This we have not cast out. And this A& we can justify, by *betier Logick* then he can oppose it. We know the Pope hath sometimes remitted of his rigour, when he was not able to make good his sentence by force: but it will trouble him to find one instance of a Pope who hath ever retracted his unjust censures out of pure Conscience, or acknowledged his unjust Vsurpations. Whether he did or no, we do not much regard, being done with an erring Key. Many Millions of Christians are saved, which are out of *his Catholick world*.

Next follow two heavy Contradictions, able to make *Miloes* back crack with their weight. Take them in his own words, for they are even absurd enough without any Aggravation. The Bishop said, that *all Catholick Kings, abetted by their Doctors and Casuists, did resist the Pope in his Vsurpations,*  
but



but here to shew how some Doctors at sometimes escaped the Popes Clutches, he saith, that *the Pope and his Court have something els to doe, then to enquire after the Tenets of private Doctors.* Why may not this grow to be a Contradiction in time? It is no Conciliation already. The other Contradiction is yet more silly. I said, *perhaps some of those Doctors lived about the time of the Councils of Constance and Basile:* that is one Enuntiation, what is the other? Nay there is none at all of mine. Yet he cryeth *score up another self contradiction.* How? A Contradiction of one Proposition? A Contradiction with a *Perhaps*? Such a Contradiction was never heard of in our dayes, nor in the dayes of our Forefathers. But though it be not a *self Contradiction*, yet perhaps it may contradict the truth! No truly; it contradicts the Truth no more then it self. I will take away the [perhaps] to give him Line enough. *Some of the Opposers lived in this last Age:* Yet the Bishop saith *some of them lived in the time of the Councils of Constance.* This is the first time that ever a Contradiction was pretended betwixt two particular Propositions such as these. He saith, that *none can tell what I mean by their living out of the Popes reach:*

D d                      I told

I told him my self, their being protected by Sovereign Power; *My lord the Emperour defend me with the Sword, and I will defend the with the Penne.*

He saith, *what the Sorbon Doctors thought of the Court of Rome, concerns not me nor the Question.* They ever valued the Popes Supremacy as a point of Faith, for the not doing of which we are cast out of the Church. He will find, that it doth both concern me and the Question. If the Court of Rome had not obtruded another manner of Supremacy, then the Sorbon Doctors allowed, this Schisme had never been. For all the Popes Supremacy, they radicated Ecclesiasticall power in the Church; they subjected the Pope to the Church; they made him no Sovereign Prince but a Duke of *Venice*, lesse then the Senate, that is, lesse then a Generall Councell. All that they allowed him was a beginning of Vnity, where have we disallowed that?

He accused, *Our bloody Lawes and bloudier Execution.* I referred him to my Reply to the Bishop of *Chalcedon*, where this Question is clearly stated, and fully discussed: and I expected an account from him, of that he had to say against it solidly and fully, but I see

*Omnibus hoc vitium est Cantoribus, inter Amicos  
Vt nunquam inducant animum cantare rogati,  
Injussi nunquam desistant.*

He delighteth altogether in Generalls; and I love to have Controversies circumstantiated, *Qui pauca considerat facile pronuntiat.* I bring more then pretended Feares and Jealousies on our part, to Iustify our Lawes; even grosse treason by the Law of Nations on their parts.

He saith, that in my 48. page, I cleare their Religion from destroying Subjection to Princes. All I say is this [their Religion is the same with ours, that is Christian, and needeth not to be cleared from being a Source of Sedition, or an Incentive to Rebellion]. Here is something to clear Christian Religion, but not Popery *quæ talis*, as it is obtruded. Well, but he saith he will supply that defect, *I subsume*, But the Supremacy of the Pope is to us a point of Faith, Therefore the holding of it, is according to him no wayes injurious to Princes. Observe Reader it is he subsumes, not I: so it is he that clears them *quæ tales*, as they are Papists, not I. And how doth he clear them? By a Syllogisme as memorable as his Contradictions. His

Assumption is: *But the Supremacy of the Pope is to us (Roman Catholicks) a point of Faith: Therefore the holding of it is according to him (the Bishop of Derry) no wayes injurious to Princes.* Stay Sr. here is a Syllogisme with a witnesse, which hath more in the Conclufiō then there was in the premisses, namely, *according to him.* Who taught you this Logick, to assume for yourself, and Conclude for me?

Here he presents the Reader with two new Contradictions of mine, as silly and senselesse as the rest. They are these, that I say *the Instances cited by me, were before the disloyall Opinions of the Romanists: and yet some of my Instances were in Cardinall Richlieus dayes, and since very lately.* Adding, that I contradict myself yet once more, *affirming that I hope those seditious doctrins, at this day are almost buried.* What Satisfaction doth this man owe to his Reader, to conceal from him all the Presidents Lawes Sentences, of Emperours Kings Commonwealths Vniversities, and to present him nothing but such Fopperies as these? I will not vouchsafe to spend any time about them, but onely give the Reader an *Ariadnes* clew, to guide him out of this Imaginary Maze. I have shewed him, what these seditious  
Opinions

Opinions were, where they were hatched, and when; namely, in the beginning of *Queen Elisabeths* Reign. And though some few of my Instances were after that time, yet the maine body of them was much more ancient; as in the Empire,, from *Charles* the great to *Charles* the fifth, and in *France* from *Carolus Calvus* downward. So I might truly say that *the* Instances cited by me, were long before those disloyall Opinions were hatched: and yet they are not so lately hatched, but I hope they are almost buried at this day. A man would have thought that I deserved thanks for my Charity, not to be traduced. But it is all one, let the Reader judge who it is that trippeth up his own heeles.

When I said, *It was great Pity that he was not one of Christs Counsailers when he formed his Church*; It did not suppose that Christ had any Counsailers, but to taxe him who takes upon him so Magisterially to dictate, what was necessary then for Christ to doe. This I called *sawcinesse*, and justly. Good Christians (as I told him formerly) ought to argue thus, Christ formed his Church thus, Therefore this is the best Forme: not thus, This is the best Forme, therefore Christ Formed it after this manner.

The

Reply  
to the  
Bish. of  
Chalc.  
c. 3.  
sect. 4.

*Ephes.*  
4. 4.

The onely reason why I cited that text of *St. Paul, One Body, one Spirit, one Hope, one Lord, one Faith, one Baptisme, one God and Father of all* was this; that *St. Paul* reckoning up seven Bonds of Vnity, should omit this which *Mr. Serjeant* makes to be the onely Bond of Vnity, namely, *unus Papa, One Pope, or one Bishop of Rome: Christ saw it necessary to make a Bond of Vnity between the Churches; And that for this reason he gave the Principality to St. Peter, and Consequently to the Bishops of Rome.* All this he supposeth on his own head, but doth not goe about to prove any thing; if *St. Paul* had been of the same, mind, that was the proper place to have recorded it, and doubtlesse he would not have omitted it. This Argument which onely I used, he doth not touch: but fancieth that I make these seven Bonds of Vnity, or Obligations to Vnity, or meanes of Vnity, to be seven markes of those which be in the Church; which I never dreamed of. And therefore I passe it by as impertinent: Onely adding, that our Ground for Vnity of Faith is our Creed, and for Vnity of Government, the very same forme of Discipline, which was used in the Primitive Church, and is derived from them to us.

When

When I wished that *he had expressed himself more clearly, whether he be for a beginning of Order and Vnity, or for a single head of Power and Iurisdiction*; I spake of *St. Peter*, of who the case is cleare, that he had no more power over his Fellow Apostles then they had over him; and that the Supremacy of Power rested in the Apostolicall College; All that *St. Peter* had was a beginning of Vnity. What *St. Peter* had, the Pope may pretend a claime to, what he had not, the Pope hath no pretence for. Neither *Iohn* Patriarch of *Constantinople*, nor any other ancient Bishop, nor yet *St. Gregory* himself, did ever dream of such a *singular Headship of Power* as he mentions, that is, that *no Bishop in the Church should have Power but he*. Although the Court of *Rome* and their adherents come very near it at this day, deriving all the power of Iurisdiction of all other Bishops from the Pope. That Power which *Iohn* affected, and *St. Gregory* impugned then, and we impugne now, is the Power of Vniuersall Iurisdiction in the Exteriour Court; If that were an Heresy in him (as he confesseth,) let them looke to themselves. Neither is the Bishops Primacy of Order, so dry a Primacy as he pretendeth, nor destitute of those Privileges



which belong to a Primate of Order by the Law of Nature , To call Assemblies *sub pena spirituali*, or to intimate the necessity of calling them, to propose doubts, to receive Votes, and to execute so farre as he is trusted by the Church ; This is the single Power of a Primate of Order , but besides this, he hath also a conjoint power in the Government of the Church. What he saith to the prejudice of Generall Councils, I have answered formerly.

He askes me, *What other Successour St. Peter had , who could pretend to an Headship of Order, except the Bishop of Rome?* I answer, that I did not speake, of what St. Peter had, but what he might have had, or may have whensoever the Representative Church , that is a Generall Councell , should give the Primacy of Order to another Bishop. Since he is so great a Friend to the Schoole of Sorbon , he can not well be ignorant what their learned Chancellour hath written expressly upon this Subject, in his Booke *de Ascribuitate Papæ* , not the taking away of the Papacy, but Removall of it. And what Bellarmine confesseth , that neither Scripture nor Tradition doth prove, that the Apostolicall See is so fixed to Rome that it cannot be removed , He urgeth, that when the Church should

should remaine without this Principality at the death of every Pope, untill all the Churches in Iapan China and India had given their consent: yet I acknowledge it to be of perpetuall necessity. First, he doth me wrong, I did not say positively that it is of perpetuall necessity: but that I like it well enough, and the reason being of perpetuall necessity, seemeth strongly to imply the necessity of the thing. Secondly I answer, that there is no need to expect such far fetched Suffrages, so long as the Primacy may remaine fixed where it is, unlesse a Generall Councell or one as Generall as may be, think fit to remove it: and if a Generall Councell remove it, it will take order for the future succession. And this same reason doth clearly take away his answer to my instance, That as the Dying of such a Bishop Lord Chancellour of *England*, doth not perpetuate the Chancellourship to that Bishoprick, because there is a Sovereign Prince to elect another: so the dying of *St. Peter* Bishop of *Rome*, doth not perpetuate the Primacy to that Bishoprick, because a Generall Councell when it is in being, hath power to transference it to another See, if they find it expedient for the publick good.

The

The Bishop knoweth right well, that the Church of Christ is both *his Spouse and his Family*, both the Governesse and the Governed; The Supreme Governesse in respect of its Representative a Generall Councell, to which all Ecclesiasticall Officers higher or lower, whether Constituted by Christ or substituted by the Church, doe owe an account; And the Governed in respect of that *Universality of Christians* which he mentioneth. And this sounds much more sweetly in Christian eares, then to make either the Pope the Maister, or the Church of Rome the *Mistresse* of the Church.

He brought an Argument for the Succession of the Roman Bishop, drawn from the Vicissitude of Humane affairs. I returned it upon himselfe, that *Rome* itself was as much subject to this Vicissitude, as any other place, [it may be destroyed with an Earthquake.] He saith, *It must be an unheard of Earthquake, which can swallow up the whole Diocesse: if the City be destroyed, yet the Clergy of the Roman Diocesse can elect to themselves a new Bishop.* But this new elected Bishop, shall be no more the Bishop of *Rome* after it is destroyed, But that which concerneth him and the cause more is, he proposeth

propoſeth my Objection by halves; I ſaid it might be deſtroyed by warres alſo, that is both City and Dioceſſe, and become a place for Satyrs to Dance in and Owles to ſcreech in. As great Cityes as Rome have run that Fortune; In that caſe what will become of his Election. I added [it may become Hereticall or Mahumetan]. He answereth, True, ſo may the whole Church, if it had pleaſed God ſo to Order cauſes. No, by his leave not ſo, Chriſt hath promiſed that his Vniuerſall Church ſhall never faile; but he hath not promiſed that Rome ſhall never faile. I ſaid, [the Church never diſpoſeth ſo of her Offices, as not to be able to change her Meſnagery, according to the Viciffitude of Humane affaires]. He oppoſeth, that I granted in the foregoing Page, that Chriſt himſelf and not the Church inſtituted this Principality or Primacy: and bids me ſhew, that the Church hath Authority to change Chriſts Inſtitution. I did not grant it but ſuppoſe it; but whether granted or ſuppoſed, it is not materiall to the purpoſe. The Church hath no power to change Chriſts Inſtitution in Eſſentials: but all Eccleſiaſticall Officers whatſoever are her Officers, and ſhe hath power to diſ-

to dispose of them, and govern them, and to alter what is not Essentiall.

I know there are other means between *Tyranny and Anarchy*, besides *Aristocracy*, even all lawfull Formes of Government, as *Monarchy and Democracy*: but in the Government of the Catholick Church *Monarchy and Democracy* had no place, unlesse it were in respect of Particular Diocesses or Provinces; and therefore to have named Monarchy here, had been superfluous and impertinent. But the Government of the Primitive Church in the Apostles and their Successours was ever Aristocraticall, first by an equall Participation of power in the Apostles, and then by a Subordination of Bishops in their Successours; and this as well out of Generall Councells as in them, as well before there were Generall Councells as after. It is not my want of Memory, but his want of Iudgement, to pursue such shadowes as these and nickname them Contradictions.

He askes, how should a *Primate of Order*, who hath no power to Act at all in order to the *Unversall Church*, have more power to prevent her good or procure her harme, then one who hath Sovereignty of power? This is his perpetuall Practise, to dispute from that  
which

which is not granted. *St. Peter* was a Primate of Order among the Apostles and no more; yet he had power to act singly as an Apostle and as a Primate among the Apostles, he had power also to Act jointly with the Apostolicall College; so have all other Primates of Order. Whatsoever *Mr. Serjeant* thinks, Our Saviour thought this Form of Government as conducive to the good of his Church, both to procure her Good and to prevent her harm, as an absolute Sovereignty. I do not *feast the Reader with Contradictions*; Nothing is more true then my Assertion, but he abuseth his Reader with notorious Fictions.

If the Papacy be the Bridle in the mouth of the Church, then without peradventure the Pope is the Rider; though the Papacy be not, I said enough before to let him see the, unfitnessse of his ludicrous Allegory, and taxed him for it: if he delight in it let him pursue it; *Nos hac a Scabie tenemus unguis*. How the Church doth both govern and is governed, I have shewed him formerly.

In his answer he fell into a large *Encomium* of the Papacy, demanding among other things, *What Christian Prince can chuse but be glad to have an Arbitrator so prudent, so pious, so disinterested, as a Good Pope should be and if this Authority were duely Governed?*

*I told*

I told him that to looke upon men as they *should be*, was to write dreaming. He rejoineeth, that *he lookes not upon men at all in this place, but speaks of the Office it self*; And challengeth me, *what say you to the Office it self*? I answer, first he saith not truely, for he did *looke at men in this place*, otherwise why did he adde this Condition; *as a good Pope should be*? And this other; *If this Authority were duely governed*? Certainly he who lookes upon an Arbitrator so prudent so pious, so Disinterested as a good Pope should be, looketh something upon men. And so in truth he ought to doe; but his fault is, that he lookes upon them as they *should be*, and not as they commonly are; which is the same fault I taxe him with, to write *Dreaming*, not waking.

Now to his Question, *What say you to the Office it self*? I say first, that though he hath stated it p. 624: Yet he hath not stated it at all, neither (I feare) dare he state it, nor is willing to state it. He telleth us indeed sometimes of *the Substance of the Papacy*, but wherein the Substance of the Papacy consists (except some Generall insignificant Expressions of an *Headship*, or *Chief Governourship*, or *First Mover*:



*Movership*, about which we have no Controversy with them, and which are equally applicable to a Primacy of Order and a Sovereignty of Power), he saith nothing. Whether the Pope be an absolute Monarch or a duke of *Venice*, inferiour to the whole Senate; whether he have a Coactive power in the Exteriour Court, throughout all other Princes dominions, without their leaves; Whether he have the right to conferre Bishopricks, Convocate Synods, Impose Pensions, Forbid Oaths of Allegiance, and require new Oaths of Allegiance to himself, Set up *Legatine* Courts, Receive Appeales, make Lawes, dispense with Lawes at his pleasure, he saith nothing: yet these are the onely Controversies we have with them, to aske what we say to the Popes Authority, without stating of it, without stinting of it, is an unreasonable demand.

I say secondly, that he ought to explain himself, by what right he doth challenge this Authority Divine or Humane, or onely out of Prudentiall reasons. If he challenge it by divine right or Humane right, he ought to prove the right, according to the just extent of that Authority which he doth challenge: and not wave the extent, as a  
 thing

thing Indifferent. If he challenge it out of Prudentiall Reasons, it ought to be considered, whether the Hopes or the Hazards, the Advantages or Disadvantages, the Conveniēces or Inconveniences of such a Form of Government particularly circumstanced, doe over ballance the one or the other; And the surest tryall of this is by experience. It will trouble him to find so many Advantages, which the Church and Kingdome of *England* have received from Papall Iurisdiction, ( I speak not of the Key of Order, ) as may overweigh all those Disadvantages which they have sustained, by the Extortions, and Vsurpations, and Malignant Influence of the Papacy. If he attribute no more power to the Pope, then *all Roman Catholicks* universally do approve, (which is the onely Rule that he giveth us, to know what is the Substance of Papall Authority), he need not be so importunous, this Question is near an end,

He askes *whether wee, and the Eastern Southern and Northern Christians, be under the Government of Patriarchs or any other Common Government?* I answer wee and they are under the same Common Government, which the Primitive Church was under from the Dayes  
of

of the Apostles, long before there were any  
 Generall Councils ; that was the Go-  
 vernment of Bishops under Primates or Pa-  
 triarchs. For as I have said formerly, a  
 Protarch and a Patriarch in the Language  
 of the Primitive Church are both one. We  
 have as much Opportunity to Convocate  
 Synods, as they had then, before there  
 were Christian Emperours, and more: yet  
 by such Councils as they could Congre-  
 gate, though they were not Generall,  
 they governed the Church. If there be  
 not that free Communication of one  
 Church with another that was then, either  
 by reason of the great distance, or our  
 mutuall misunderstanding one of another,  
 for want of the old *Canonicall Epistles* or  
*Litera Formata*, the more is the Pity:  
 We are sorry for it, and ready to con-  
 tribute our uttermost endeavours to the  
 Remedy of it.

With these western Churches which  
 have shaken of the Roman Yoke, we  
 have much more Communion, by Sy-  
 nods, by Letters, by Publishing our Con-  
 fessions; and we might justly hope for a much  
 nearer union yet, both in doctrine and Dis-  
 cipline, if God would be graciously pleased  
 to restore an happy Peace. That we have it

not already in so large a measure as we might, is their onely Faults, who would not give way to an Vniform Reformation. Sometimes they accuse us for having too much Communion with them, at other times they will not grant us to have any at all.

Concerning the rest of the Western Churches which submit to the Papacy, we have the same Rules both of Doctrine and Discipline which they had, We have the same that they have, saving their Additionall Errours. We have broken no Bonds of Unity, either in Faith or Discipline; we have renounced no just Authority, either Divine or Humane; we adhere to the Apostles Creed, as the ancient and true Rule of Faith, into which alone all Christiāns (that ever were) have been baptised, and we renounce the upstart additionall Articles of *Pius* the fourth. We are willing for peace sake to give the Pope the same Primacy of Order, which *St. Peter* had above his Fellow Apostles; but the Supremacy of power was not in *St. Peter*, but in the Apostolicall College; neither is now in the Bishop of *Rome*, but in a Councell of Bishops.

He saith we maintein a larger Brotherhood then they, but never goe about to shew any visible

*ble Tye of Government.* We shew them the same Badge or Cognisance of our Christianity, that is, the same Creed, and the same Discipline or Government, that is, the same Colours, derived down from the Apostles by an uninterrupted Succession; The same Doctrine and the same Discipline is Tye enough. To take an exact *View* it is necessary the *Organ* should be perfect, the *Medium* fit, and the *Distance* convenient; if any one of these were Defective in *Mr. Rosses View*, he might well mistake: but I may not doe him that wrong to trust your Testimony, without citing his words.

He urgeth, *If Christ have left any Vnity of Government in his Church and Commanded it to be kept, and we have taken a Course to leave no such Vnity, then we have rebelled against Christ and his Church, and falsely pretend to have him our Spirituall head.* I admit this: now let him Assume. But you (Protestants) have taken a Course to leave no Vnity of Government in the Church, which Christ left and Commanded to be kept. I deny his Assumption altogether: and he saith not one word to prove it. This is his Enthymematicall manner of Arguing.

He proceedeth, That to have a Generall Councell for an Ecclesiasticall Head, is to confesse that there is no Ordinary Unity of Government in Gods Church, but extraordinary onely when a Councell sits. I deny this Proposition altogether, and the reason is Evident; because besides a Generall Councell which sitteth but rarely, (neither is it needfull that it should sit often, *Nisi dignus Vindice nodus inciderit,* ) there are particular Councells, which in lesser Exigents serve the turn as well as Generall. There are Patriarchs and Bishops, which are Ordinary and perpetuall. In an *Aristocracy*, it is not necessary that the Governours should be evermore actually Assembled. In the first three hundred yeares, there were no Generall Councells held, there was lesse hope of ever holding them then, then now: yet there was an Ordinary Unity of Government in Gods Church in those dayes, for which they were not indebted at all to any visible Monarch. But when a Generall Councell doth sit, the Supreme Ecclesiasticall power rests in it.

He wonders why I should make the King onely a Politicall Head, Contrary to our Common Assertion. It seemeth that though he hath been bred among us, yet he hath  
not

not been much versed in our Authors; No man that ever understood himself, made him otherwise. Yet this Politicall Head, hath a great Influence upon Ecclesiasticall Causes and persons, in the Externall Regiment of the Church. He demandeth, *is there any Orderly Common Tye of Government, obliging this Head to Correspond with the other head? If not, where is the Vnity?* I answer, yes, the direction of his Spirituall Guides, that is, his Bishops and Synods; If this Method be so great a Rarity with him, it is his own fault. He had said more properly, *to Correspond with the other Heads then Head.*

He saith, *It is false to say, that they have sometimes two or three heads, since there can be but one true or rightly chosen Pope.* True, but the Election may be uncertain, that no man living can know the true Pope: so whether there be three Popes, or one Pope and two pretenders, yet if the right Pope cannot be made appeare, it is all one relatively to the Church; *If the Trumpet give an uncertain sound, who shall prepare himself to the Battell.* He telleth us further, that when the See of Rome is vacant, the Headship is in the Chiefe Clergy whom they call Cardinalls, as secure a Course as mans wit can invent.



As Chiefe as their Cardinalls are, the much  
greatest part of them, were but Ordinary  
Parish Priests and Deacons of old. The  
Cardinalls indeed have to doe with  
the Church of *Rome* in the Vacancy : but  
what pretense have they from *St. Peter* ?  
What have they to doe with the Vniversall  
Monarchy of the Church? Before he told  
us, that theit Headship was *Christs own Ordina-*  
*tion*; now he telleth us that this Headship  
is sometimes in the College of Cardinalls,  
and that it is *as secure a Course as mans wit*  
*can invent*. What a Contradiction would he  
make of this ?

He demandeth, *doth the Harmony of Con-*  
*fessions shew, that we have one Common cer-*  
*tain Rule of Faith, or any particular sort of*  
*Government, obliging us to an Vnity, under the*  
*Notion of Governed* ? I doe shew him one  
Common certain Rule of Faith, even the  
Apostles Creed : and a particular sort of  
Government, even the same was used in the  
Primitive Times. What am I the better ? he  
will take no notice of them, because I will  
not fixe upon that Rule of Faith, and that  
Form of Government which he Fancieth.  
Yet I am for Tradition as well as he, but it  
is Vniversall and perpetuall Tradition :  
such a Tradition is the Creed, and indeed

is that very Tradition which is so renowned in the Ancients.

He chargeth me with saying, *That Hereticks can have no Baptisme.* Let him either make his accusation good, or suffer as a Falsifier. All that I say is, *Turkes Jewes Hereticks and Christians, have not the same Baptisme.* The reason is plaine, because Turkes and Jewes have no Baptisme at all. Secondly we ought to distinguish between the Baptisme of Hereticks, and Hereticall Baptisme; if the Baptisme it self be good, the Administration of it by Hereticks doth not invalidate it at all: but if the Heretick baptise after an Hereticall Forme, as without due Matter, or not in the Name of the Trinity; such Baptisme is Hereticall and naught. But all this is needlesse to understand the right scope of my words, I said that a Body consisting of Jewes Turkes Hereticks and Christians, had not the same Baptisme: I did not say that every one of these wanted true Baptisme; He might as well charge me with saying that *Christians can have no true Baptisme.*

I have manifested elsewhere, that the Creed is a List of all Fundamentalls: and in the *Sect. 1.* same Section and Chapter the Reader shall *cap. 2.*

find that the Bishop is not a Falsifier, but *Mr. Serjeant*, is both an egregious Calumniator and Falsifier of the Councell of *Ephesus*. I tooke the word *Paganisme*, in the ancient Primitive sense for *Infidelity*, as it is contradistinguished to Christianity. The true reason of that Appellation was, because Country Villages did continue long in their Infidelity, after Cities were converted to Christianity. So the Turkes are the onely Pagans, which we have now in this part of the World. What a piece of *Gotham Wisdom* is this, to quarrell about names, when we agree upon the things. Turkes and Pagans in my sense were the same thing: both Infidells.

But he instructs the *Learned Bishop*, that the Turkes acknowledge a God. So did the Pagans also, if *Lactantius* say true, *Non ego illum Lapidem colo quem video, sed servio ei quem non video*. He addeth, that I affirme the Councell of *Ephesus* held in the yeare 430, Ordered something concerning Turkes, which sprang not up till the yeare 630, and calleth this good sport. If there be any sport, it is to see his Childish Vanity. If I listed to play with words, I could tell him that the Mahumetans sprung up about the yeare 630, the Turkes many Ages after. But the answer is plaine  
and

and easy, the Councell of *Ephesus* did give Orders for all Ages ensuing concerning Infidells: but Turkes are Infidells, and so it gave Order concerning Turkes.

Socinians and Arrians, may admit the *Apostles Creed* interpreted their own way: but they ought to admit, it as it is interpreted by the First foure Generall Councils; that they doe not, and so they believe not all Fundamentalls as they should doe. What he Objecteth further, that *Puritans* hold not the *Article* of Christs descent into Hell, and the *Roman Catholicks* and *Protestants* differ about the sense of two other *Articles*, hath been answered formerly. The *Puritans* will tell him, that the manner of Christs descent hath not bene determined hitherto. And I doubt much, he understandeth not the *Romish* and *English Tenets*, so well as he should.

## SECT.

## SECT. IX.

*That the Pope and Court of Rome are  
most guilty of the Schisme.*

**M**y first Charge was this, That Member of any Society which leaveth its proper place, to assume an higher place in the Body, is Schismaticall; But the Pope and his Party do not content themselves that the Church of *Rome* should be the Sister of other Patriarchall Churches, and the Mother of many Churches, unlesse she be Lady and Mistresse of all Churches; or that the Pope should be the Brother of Other Bishops, or a fellow of other Bishops (as he was stiled of old), unlesse he may be the Lord and Maister of all Bishops. That the former is his proper place, I clearly proved by Letters, not of himself to other Bishops, that might be Condiscension; as for a Generall to call his Officers Fellow souldiers: but of other Bishops to him; no under Officer durst presume to call his Generall fellow souldier. That he assumeth the other place to himself, is proved out of the new Creed of *Pius* the fourth, *I acknowledge*

ledge the Roman Church to be the Mother and  
 Mistrisse of all Churches: and I promise and  
 sweare true Obedience to the Bishop of Rome,  
 as to the Vicar of Iesus Christ. And in the  
 Oath of Allegiance which all Bishops  
 sweare to the Pope, I A B Bishop &c. will be  
 Faithfull to St. Peter, and to the holy Apo-  
 stolicall Church of Rome, and to our Lord  
 Pope Alexander &c. There is a great di-  
 stance between the old Brother Bishop and  
 fellow Bishop, and this Oath of Alle-  
 giance to the Pope as to their Liege Lord.

First he Chargeth me, that I doe flatly fal-  
 sify his words, which doe never deny her to be  
 a mother, but a Sister onely. Either I falsified  
 his words, or he falsified mine. My  
 words were these, First they make the  
 Church of Rome, to be not onely the Sister of all  
 oher Pairiarchall Churches and the Moiber of  
 many Churches, but to be the Lady and Mi-  
 stresse of all Churches. The two Former Bran-  
 ches of Sister and Mother are both acknow-  
 ledged, the last onely of Lady and Mi-  
 stresse is denied. He falsifieth my words  
 in his answer thus, because she takes upon her  
 to be Mistresse, where she is but Sister to oher  
 Churches. You see the word Mother is left  
 out, and because I bring it in againe as I  
 ought, to make the Argument as it was be-  
 fore

fore his Curtaling of it, I am become the Falsifier with him, and he who is the Falsifier in earnest is innocent.

I cited the words of *St. Bernard*, to prove that the Pope was not Lord or Maister of other Bishops, and the Roman Church a Mother of other Churches, not a *Lady* or *Mistresse*. He distinguisheth 'between *Dominam* and *Magistram*, an *Imperious* proud *Lady* *Mistrisse*, and a *School-Mistresse* or *Teacheresse*; Adding, that they use the word *Magistram* in the latter sense. So they say no more then we; we do acknowledge the Church of Rome to be a *Teacheresse*, and the Pope a *Teacher*, as it is an *Apostolicall* Church and he an *Apostolicall* Bishop: but all the Question is of the other word *Dominum*, which the Pope taketh to him self as well as *Magistram*; as we have seen in the Oath of Allegiance which he makes all Bishops to swear. Neither doth *St. Bernard* oppose proud *Imperious* Dominion to Gentle Dominion, but he contradistinguisheth Dominion to no Dominion; and thy self not a *Lord* of other Bishops, but one of them. Not a *Lord* of other Bishops, saith *St. Bernard*: A *Lord* of other  
other



other Bishops, saith the Oath of Fidelity; *I will be faithfull to our Lord Pope Alexander.*

He urgeth, that *the Bishop hath brought a Testimony, which asserts the Church of Rome to be the Mother of other Churches, and so of the Church of England too.* St. Bernard asserted the Church of *Rome* to be the Mother of other Churches, so did the Bishop; but not to be the Mother of all other Churches, no more did the Bishop; particularly not of the Church of *Britain*, which was ancients then the Church of *Rome*, and so could not be her daughter. Let them prove their right that they are our Mother, and we are ready to doe our filiall Duty; saving alwayes that Higher duty which we owe to our Mother *Paramount*, the Vniversall Church. But neither can they prove their right that they are our Mother, neither is that Subjection which they Demand, the Subjection due to a particular Mother, but to an Vniversall Lord.

But *Schisme involves in its Notion disobedience, &c.* And so the Bishop concludes the Mother  
Schisme

*Schismaticall because she is disobedient to her Daughter.* His first error is, to make the Church of *Rome* to be our Mother. The second, to thinke that a Mother may challenge what Obedience she listeth of her Daughter. The third, that Schisme consisteth altogether in the Disobedience of Subjects. Causall Schisme may and doth Ordinarily consist, in the unlawfull Injunctions of Superiours.

My second reason to convince them as guilty of Schisme, was the new Creed set out by *Pius* the fourth; This he calleth a *Calumny*. He cannot speake lower then *Calumnies*, *Absurdities*, *Contradictions*, *Falsifications* &c. A high *Calumny* to slander them with a matter of truth; It is such a *Calumny* as they will never be able to shake of. He referreth the Reader to what he hath said in the first Section, and I to my Answer there. He saith it is known that *each point in that profession of Faith* (that is the twelve new Articles) *was held of Faith by the former Church.* How? *held of Faith?* as an Essentiall of Faith; And this known? to whom? to the man in the Moone? But here is the maddest Contradiction that ever was, and might well have become his *Merry Stationer*. It is a Contradiction to pre-  
tend

tend that he (Pits the 4.) made a new Creed  
till it be shewn that any of these points was not  
formerly of Faith, and be proved satisfactorily  
that the Apostles Creed contained all necessary  
points of Faith. A Contradiction? I see  
many men talke of Robin Hood, who never  
shot in his Bowe: talke of Contradictions,  
who know not what they are. Observe  
the equity of these men, They Visibly in-  
sert 12 new Articles into the Creed, and  
then would put us to prove, that they were  
not of Faith before, and that all necessary points  
of Faith are contained in the Apostles Creed.  
He is resolved to keep two strings to his  
Bowe, and knoweth not which of them to  
trust to. Heare you Sr. If they be Articles  
of Faith now, as you have made them, then  
they were alwayes Articles of Faith: and  
all those were damned which did not believe  
them; but that you dare not say.

My third Charge of Schisme was, because  
they mainteine the Pope in his Rebellion  
against Generall Councells. Here he distin-  
guisheth between a Schooleman and a Con-  
trovertist, to no manner of purpose, for it  
is altogether impertinent. There is no man  
who inveigheth so much against *wording* and  
*Quibling* as himself, and yet the world hath  
not a greater *Worder* or *Quibler* then he is.  
Where

Wherefore to prevent the Readers trouble and mine own, and his shifting and flinching, and to tye him within his Compasse perforce; I made bold to reduce my Argument to a Syllogisticall Forme. They who subject a Generall Councell, which is the Highest Tribunall of Christians, to the Pope, are guilty of Schisme: But the Pope and Court of *Rome*, with all their maintainers, (that is, much the Greater part of their writers,) doe subject a Generall Councell to the Pope. Therefore the Pope and Court of *Rome* with all their Maintainers, that is the much greater part of their Writers, are Guilty of Schisme.

Here he should have answered Punctually to the Proposition or Assumption, either by denying granting or distinguishing: but for all his calling for a *Rigorous Demonstrative way*, he liketh it not, because he cannot make such impertinent extravagant excursions as he useth to doe, which are the onely help he hath at a dead lift. All the Answer he giveth is this, *He (the Bishop) is accused of a Contradiction and Non sense, and to cleare himself he telles us, he will now lay aside the one part of the Contradiction and endeavour to make good*

*good sense of the other.* To what Proposition, to what Terme doth he apply this answer? I see no Contradiction, I see no Nonsense in my discourse, nor any body living but himself. I said no such thing as he pretendeth. What doth the man meane by these *waves of brainlesse butterd fish*, by these heterogeneous incoherent Fopperies, and *Chimeraes* which have no existence but in his own pate? If he meane to answer, let him doe it clearly like a Schollar; since I have found this way to tye him to his matter, and restraine his torrent of words, I shall put it in practice oftner. Yet if I meet with any such thing as is substantiall among his vapouring expressions, which hath but the least resemblance of an answer, though it be not reduced into Forme, I will gleane it out, and examine the weight of it.

Such is this which followeth, *Was it for this Opinion of the Pope above the Councell &c. How were they guilty of Schisme for this? unlesse they had denyed you Communion for holding the Contrary, or prest upon you an unconscienious approbation of it, which you know they did not. Foole not your Readers my Lord; It was not for this Tenet which you impute to the Court of Rome, but for that of the Popes Headship or*  
 Ff Spirit

*Spirituall Iurisdiction over all Gods Church held by all Catholicks, &c. For which you are excommunicated.* It is true they did not deny us Communion for holding this Opinion, nor presse upon us an unconscientious Approbation of this Opinion directly, for any thing that I know: but neverthelesse, they have by their power subjected a Generall Councell to the Pope, they have procured it to be defined (though not expressely) in the Councell of *Florence*, and to be expressely defined in the Councell of *Lateran* under *Leo* the tenth. Hence it is, that all the Councells since the Councells of *Constance* and *Basile* and the two *Pisan* Councells, have wanted Conciliary Freedome, and been altogether at the Disposition of the Popes; to prorogue them, to transference them, to stint them what matters they might handle and what not, to deferre their Determinations untill he had formed or created a party, or wrought some of the dissenting Bishops to his will, to ratify or reject their decrees at his pleasure. When or where was it ever heard before, that there was twice as many Bishops of one Nation in a Generall Councell, as of all other Nations in the world? Hence was that complaint of the Fathers in the Councell of *Trent*, that the Synode was guided by the Holy Ghost sent

sent from *Rome* in a Male. If it had not been for this thing, but the Fathers had been permitted freely to have proceeded in the Councell of *Trent*, in the Resolution of that noble Question concerning the Residence and divine Right of Bishops: in all probability this great rent had been made up, and he and I had not needed to have disputed this Question at this Day.

Thus by this Opinion and by their Sinister Practises to establish it, they are causally and formally Schismaticall: and have been both the procreating and conserving Cause of this great Schisme; the procreating cause, by altering the Hierarchy, and Disordering the Members, which doth necessarily produce a disturbance and Schisme in the Body; and the conserving cause, by destroying the Freedom of Councils, which are the proper Remedies of Schisme. Whether these later Councils were Oecumenicall, or Occidentall, or neither, is not the point in debate; They are those which they call Generall; They were as Generall as they would permit them to be; and to conclude, it was their fault that they were not more Generall. So though this were not the very cause alleged by them, why they did excommunicate us: yet it was one of the Causes of the Schisme, and consequently of



our Excommunication.

I leave every man free to Iudge for himself; but for mine own part I am so great a Lover of the peace of Christendome, that I should not oppose the Bishop of *Romes* headship of Order, if he would be content with it; and that is as much as many whom he stileth his own Sons do yield him. But though that be sufficient for the Catholick Church, it is not sufficient for the Court of *Rome* to fill their Coffers; they love not such a *Dry Papacy*. I dispute onely whether the Popes right be Divine, or humane, or mixed (as *Gerson* thought); either score may justly challenge Duty: But I am very positive, that whatsoever the Bishop of *Rome* hath more then this Primacy of Order or beginning of Vnity, he had it by humane right, and by humane right he may lose it. Neither doe I goe about to deprive the Bishop of *Rome*, or any Bishop whatsoever of any Iurisdiction purely spirituall, which was left them as a Legacy by Christ or by his Apostles; but I deny that Apparitors, or Pursivants, or Prisons are of Christs Institution; I deny that Christ or his Apostles did ever either exercise themselves, or grant to others Authority to exercise Coactive Iurisdiction in the exterior Court, over the Subjects of other Princes, within their Dominions, and  
without

without their leaves. If Subjects submit, *Volenti non fit injuria*, but then it is not Coactive; If Princes give leave, (as they have done in all Ages, so far as they judged it expedient for the publick good), then it is very lawfull; but without the Subjects submission or the Princes leave, there may be indeed a spirituall kind of Coactiō in the interior Court of Conscience, but no true coactiō in the exterior Court of the Church.

I see he understandeth not the sense of that Logically restriction, *The Papacy as it is such*; which signifieth not the Papacy as it ought to be, or so far as all Roman Catholics doe agree about it; but the Papacy as it is Qualified in present, or as it is owned, or obtruded, or endeavoured to be obtruded by the Pope and Court of *Rome*. So the *Papacy as it is such*, is opposed or contradistinguished to the Ancient Papacy in the purer and more Primitive times, which was not guilty of those Vsurpations which the modern Popes have introduced. Thus still my Contradiction doth end in his misunderstanding.

My fourth and last charge of Schisme upō the Pope and Court of *Rome* was thus. They who take away the Line of Apostolicall Successiō, throughout the world except in the See of *Rome*, who make all Episcopall Jurisdicti-

on to flow from the Pope of *Rome*, and to be founded in his Lawes, to be imparted to other Bishops as the Popes Vicars and Coadjutors, assumed by them into part of their Charge, are Schismatics: But the Pope and Court of *Rome* and their maintainers do thus: Therefore the Pope and Court of *Rome* and their maintainers, are Schismatics.

To this Argument, he vouchsafeth no answer at all in due Forme as it ought to be, and I have no reason to insist long upon his Voluntary *Jargon*. All the Answer which he intimateth is this, that *this Tenet is not Generall among them, but points of Faith are held generally*. Here is an answerlesse Answer, without confessing or denying either Proposition: such an Answer doth not become one, who maketh himself so great a Master in the Art of disputing; I charge not their whole Church, but the Pope and Court of *Rome*; and all their Abettors and Maintainers, with the Crime of Schisme. I conclude no more then I assume. He answers that *the whole Church do not hold these Tenets*. What is that to the purpose? As if a Particular person, as the Pope, or a Particular Society, as the Court of *Rome*, or the greater part of a Church, as all their Abettors and maintainers, could not be Schis-

Schismaticks except the whole Church be Schismaticall, which is most absurd. I am free to charge whom I will, if he will not answer for them, he may be silent: but if he undertake to be their Advocate, let him defend them in due Forme as he ought, and not tell us, that *he is not concerned as a Controvertist to defend anything but Points of Faith.* Which is neither better nor worse in plain English, then to run away from the Question. All our Controversy is, whether such and such pretended Privileges be Papall Rights or Papall Vsurpations: If he dare not maintein them to be just rights, either by divine Law or humane Law, and refuse to contend with us when we prove them to be Vsurpations; to what end doth he interest himself, and break other mens heads with the clattering noise of his *Sabots*.

### SECT. X.

#### *An Answer to their Objections.*

**T**Heir first Objection was, that we had seperated ourselves from the Communion of the Catholick Church. I answered that we hold Communion with thrice so many Catholick Christians as they doe, that is, the Eastern Southern and Northern Christians, besides Protestants. He interpreteth these Christians with whom we

hold Communion to be *numberlesse Multitudes of Manichees, Gnosticks, Carpocratians, Arrians, Nestorians, Eutychians &c.* Adding, that he protesteth most faithfully, he doth not think that I have any solid reason to refuse Communion to the worst of them. Reader, learn how to value his faithful Protestations hereafter. I shew that we all detest those damned Heresies, and complaine of his Partiality and want of Ingenuity, to abuse the Reader with such lying suggestions, which he himself knoweth to be most false, and challenge him to shew that any of us are guilty of any of these Heresies; now see what he produceth to free himself from such an horrid Calumny.

First he saith, that *the Bishops tax* is evidently this, to shew some solid reasons why he admits some of these and rejects others. This is not the purging of his old Calumny, but the twisting of a new Calumny to it. I abhorminate and Anathematise them all, and he will have a reason of me why I admit some of them and reject others. Well done brave disputant!

Secondly he urgeth, Suppose he could not charge the Church of England, or any of these other Churches with any of these Heresies, are there no other Heresies in the world but these  
 old

old ones? Or is it impossible that a new Heresy should arise? There are other Heresies in the world, and it is possible that a new Heresy may arise: but what doth that concern the Church of England? unless he thinke that there is no Heresy in the world, nor is possible to be, but the Church of England must be guilty if it. Worser and Worser.

He proceedeth, that he accused not the Church of England or the Bishop for holding those materiall points, but that having no determinate certain Rule of Faith, they had no grounds to reject any from their Communion, who hold some common points of Christianity with them. It is well, *habemus confitentem reum*, Mr. Serjeant retracteth his Charge; The Church of England and the Bishop are once declared innocent of those old Heresies, which he made a Muster of to no purpose. To let him see that I say nothing new, and how he thrasheth his own Friends blind fold: *Peter Lombard*, *Thomas a Iesu*, *Cardinall Tolet*, and many others, do make the Question about the procession of the Holy Ghost, to be Verball onely without Reality; and that the Grecian expressions of *Spiritus Filii*, The Spirit of the Sonne, and *per Filium*, by the Sonne, doe

doe signify as much as our *Filioque*, and from the Son. And of the Nestorians, Onuphrius

Onu- giveth this Iudgement, These Nestorians  
phrius doe seem to me, to have retained the name of  
in *vita* Nestorius the Heretick rather than his errors:  
Iulii for I find nothing in them that savoureth of that  
tertii. Sect. And for the supposed Euychians, Tho-

Thom. That the suspicion did grow upon a double  
a Iesu mistake. They were suspected of Euychia-  
Conr. nisme because they retained not the Coun-  
l. 7. pa. cell of Chalcedon; and they received not the  
I. ca. 3. Councell of Chalcedon, because they su-  
§ 11. spected it of Nestorianisme: but yet they ac-

Brere- the Councell of Chalcedon Anathematise  
woods Nestorius. The same is asserted by Brere-  
Enqu. wood, out of the Confessions of the Iacobites,  
ca. 25. Nestorians, Armenians, Cophies and Abyf-  
p. 183. fines. To his Objection I answer, First, that  
though we had no such certain Rule of  
Faith; yet it was not presently necessary,  
that we must tumble headlong into such  
abominable errors, as many of these He-  
reticks held, which the Discreeter Heathen  
did detest. Secondly, we have a certain  
Rule of Faith, the Apostles Creed dilated  
in the Scriptures, or the Scriptures con-  
tracted into the Apostles Creed: and for  
that



that ugly Fardle of Heresies, which he mentioneth, we can shew that they are all diametrally opposite to the Apostles Creed, as it is explained in the foure first Generall Councells. Reader have a care to preserve *Epictetus* his Iewell, Remember to distrust such faulshfull or rather feigned Protestations.

He argueth, *All those Hereticks had the same Rule or Grounds of their Faith that Protestants have, namely the Holy Scripture; therefore they are all of the Protestant Communion.* In good time. All those Hereticks had the same Rule or grounds of their Faith, that Roman Catholicks have, namely the Holy Scriptures, therefore they are of the Roman Catholick Communion. If he except, that the bare Letter of the Scriptures, is not the Ground or Rule of Faith to Roman Catholicks, but the Scripture interpreted according to the Analogy of Faith and Tradition of the Church: the Church of *England* saith the very same for it self. So if this be the source of all errour to abandon the Tradition of the Church, we are far enough from the source of all errour. This is the onely difference in this particular betweene me and *Mr. Serjeant*, what he attributeth to the Tradition of immediate Forefathers, I ascribe to the perpetuall and Univerfall Tradition of the Catholick Church

*Church.* Who would believe, that this man himself had deserted the Tradition of his Immediate Forefathers ?

That which he addeth, the Tradition of Immediate Forefathers *is the onely Ground of Faiths certainty*, and the Denying of it *more Pestilentiall then the Denying of the Godhead of Christ, or the asserting the worst of those errors which any of those old Hereticks held*, as there are two Gods, a Good God and an Evill God, is most false and Dangerous, to tumble into a certain Crime for feare of an uncertein. What he addeth concerning *Sects new sprung up in England, and Luther, and Carlostadius*, concerneth not us nor the present Controversy.

I said, that some few Eastern Christians were called *Nestorians*, and some others by reason of some unusuall expressiōs suspected of Eutichianisme, but most wrongfully : and in our Name, and in the name of all those Churches which hold Communion with us, I accursed all the Errours of those Hereticks. Notwithstanding all this, he saith that *nothing is more right then to call them so, that what I say here is contrary to the publick and best intelligence we have from those remote Countreies*, that I have a mind to cling in very Brotherly and very lovingly, with the Nestorians

storians and Eutychians, though I say I will  
 not, that I stroke those errors which I accurse,  
 with a gentle hand, styling them but unusuall ex-  
 pressions. First for so much as concerneth my  
 self, I have renounced those errors, I have  
 accursed them: if yet he will not credit me,  
 there is nothing left for me to doe, but to ap-  
 peale to God the searcher of all hearts, that  
 what I say is true, and his accusations are  
 groundlesse Calumnies. But as to the  
 merit of the cause he addeth, that these un-  
 usuall expressions were onely these, that Christ had  
 two distinct persons, and no distinct natures. Thus  
 he saith, but what Authours, what Authority  
 doth he produce, that any of these Churches  
 are guilty of any such expressions? None at  
 all, because for all his good intelligence, he hath  
 none to produce, nor ever will be able to  
 produce any; and so his good intelligence must  
 end in smoke and stinke, as his most faithfull  
 protestation did before. I will conclude this  
 point to his shame, with the Doctrin of  
 the English Church Art. 2. That the two  
 Natures Divine and Humane are perfectly  
 and inseperably conjoined in the Unity of  
 the person of Christ. Doth this agree  
 with his counterfeit expressions, Christ  
 hath two distinct persons no distinct na-  
 tures?

when

When I used this expression [the best is we are either wheat or chaffe of the Lords Floore, but their tongues must not winnow us], these words [the best is], had no such immediate Relation unto the words immediatly following [we are either wheat or Chaffe], but to the last words [their tongues must not winnow us], making this the complete sense, *we are either wheat or chaffe*, but *the best is* whether we be wheat or chaffe, *their tongues must not winnow us*. What poore boyish pickquering is this?

In my Reply to the Bishop of Chalcedon, occasionally I shewed the Agreement of the Greek Churches with the Church of *England*, in the greatest Questions agitated between us and the Church of *Rome*, out of *Cyrill* late Patriarch of *Constantinople*; which he taketh no notice of, but in requitall urgeth a passage out of *Mr. Rosse*, in his booke called *a View of all Religions*. It is an unequall match, between *Mr. Rosse* a private Stranger, and the Patriarch of *Constantinople*, in a cause concerning his own Church. I meddle not with *Mr. Rosse*, but leave him to abound in his own sense, I know not whether he be truly cited or not: but with *Mr. Serjeant*. I shall be bold to tell him that if he speaketh seriously and  
bona

*bona fide*, he is mistaken wholly, Neither  
 doe the Greekes place much of their De-  
 votion in the Worship of the Virgin  
 Mary and painted Images. Heare *Cyrrill.*  
*Cyrrill* the Patriarch, we give leave to *ad Int.*  
 him that will, to have the Images of 4.  
 Christ and of the Saints, but we disal-  
 low the Adoration and worship of  
 them, as prohibited by the Holy Ghost  
 in Holy Scripture. And another,  
 They give great honour to the Virgin  
 Mary the Mother of Christ, but they  
 neither adore her, nor implore her aide.  
 And for the Intercession, prayers,  
 help and Merits of the Saints, (taking  
 the word [Merit] in the sense of the Primi-  
 tive Church, that is not for Desert but for  
 Acquisition), I know no Difference about  
 them among those men who understand  
 themselves: but onely about the last words,  
 which they invoke in their Temples rather  
 then Churches. A Comprecation both the  
 Greciās and we do allow, an ultimate invo-  
 catiō both the Grecians and we detest: so do  
 the Church of Rome in their Doctrīne, but  
 they vary from it in their practice. It follo-  
 weth, They place Iustificatiō not in Faith  
 but

*but in workes; Most Falsly. Heare*

*Prim. Hieremy the Patriarch; We must doe*

*Resp. good workes but not confide in them:*

*cap. 6. And Cyrill his Successour, VVe be-*

*C. 13. lieve that man is justified by Faith not VVorkes.*

Before we can determine for whom those Eastern Southern and Northern Christians are, in the Question concerning *the Sacrifice of the Masse*: it is necessary to know what the right state of this Controversy is. I have challenged them to goe one step further into it then I do, and they dare not, or rather they cannot without Blasphemy.

The next instance concerning Purgatory, is so grosse and notorious a mistake, that it were a great shame to confute it; *They believe that the soules of the Dead are bettered by the prayers of the living.* Which way are they bettered? That the soules of damned are released or eased thereby, the Modern *Greeks* deny, and so do we; That there are any soules in Purgatory to be helped, they deny, and so do we; That they may be helped to the Consummation of their Blessedness. and to a speedier Vnion with their Bodies by the resurrection thereof, they do

do not deny, no more do we: We pray daily, *Thy Kingdome come*: and *Come Lord Iesus come quickly*: and *that we with this our Brother and all other departed in the Faith, may have our perfect Consummation and blesse both in body and Soule*. They hate Ecclesiasticall Tiranny and lying supposititious Traditions, so do we; but if they be for the *Authority of the Church*, and for genuine Apostolicall Traditions, Gods blessing on their hearts, so are we. Lastly the Grecians know no feast of *Corpus Christi*, nor carry the Sacrament up and down, nor elevate it to be adored. They adore Christ in the use of the Sacrament, so do we: They do not adore the Sacrament, no more do we.

Yet from hence he inferreth, that *there is not a point of Faith wherein they dissent from the Church of Rome, except that one of the Popes Supremacy*. It is well they will acknowledge that. Yet, the *Grecians* agree with us and differ from them, in his two Rules or Bonds of Vnity. In the Rule of discipline; the *Grecians* and we have the same Government of Bishops under Patriarchs and Primates, Secondly in the Rule of Faith; the *Grecians* and we have both the same Canonickall bookes of Scripture,



both reject their Apocryphall Additions from the Genuine Canon. They and we have both the same Apostolicall Creed, both reject the new Additions of *Pius* the fourth. In summe, they and wee doe both deny their Transubstantiation, their Purgatory, their Iustification by workes *in sensu forensi*, their doctrine of Merits and Supererogation, their Septenary number of the Sacraments, their Image worship, their Pardons, their private Masses, their half-Communion. And to be brieft, the *Grecians* doe renounce and reject all those Branches of Papall power, which we have cast out of the Church of *England*. As the Popes Sovereignty over the Catholick Church by divine Right, as *Nilus* saith; *It is intollerable that the Roman Bishop will not be subject to the Canons of the Fathers, since he had his Dignity from the Fathers.* Secondly his Legislative power, as *Peter Stewart* Vice-chancellor of *Ingolstadt* witnesseth, that the *Grecians* object it as an error to the *Latines*, that they make the Popes Commandements to be their Canons and Lawes. Thirdly his Iudiciary power, equalling the Patriarch of *Constantinople* to the Patriarch of *Rome*, or rather preferring him. Lastly his dispensative power, accusing his Pardons and Dispensations

*as things that open a gate to all Kind of Villany.* I am glad that Nilus is in his good grace, to be stiled by him one of the gravest Bishops and Authors of that party, for one moderate expreffion wherein he saith no more then we say, His Friend Possivine calls him a *Virulent Adversary*: and if ever Mr. Serjeant read him throughly, it is ten to one he will change his note. Thus much for my Communion with the Eastern Churches, it is the same with the Southern and Northern Churches; all which doe plead better Tradition then himself.

Whereas he saith that my Assertion, that *the Creed contained all points necessary to be believed, is grounded onely upon my falsifying of the Councell of Ephesus*; he bewrayeth his ignorance both in the Fathers and in his own Authours. The Scripture is none of those particular Articles which are necessary to Salvation to be believed: but it is the Evidence whereby those Articles are revealed, and wherein they are comprehended; The Creed was composed before the Canon of Scripture was perfected. They have not onely changed from their Ancestours in Opinions: but they have changed their own Opinions, into necessary Articles of Faith, which is worse.

I denied that the Councell of *Trent* was a Generall Councell, as wanting the requisite Conditions of a Generall Councell, which they themselves judge to be necessary. The summons ought to have been generall, but it was not. The great Patriarchs ought to have been present, but they were not; neither the Patriarchs of *Constantinople*, *Alexandria*, *Antioch* and *Hierusalem*, nor any of them; nor yet the Patriarchs of *Armenia*, *Abissina*, *Mosco*, *Mussall* &c., nor any of them. He answereth, *they had no right to be summoned thither, unlesse to be called to the Barre as Delinquents, nor to sit there, nor are to be accounted Christians.* It had need to be a large Barre indeed to hold them all. Was it ever heard before, that a fifth part of a Councell did call foure parts to the Barre? Their Ancestours had right to be summoned to a Generall Councell, and to sit and vote there as well as the best; how have their posterity lost this right? Had they been heard and condemned in a Generall Councell? No. But he urgeth *what need hearing, when themselves in the Face of the whole world publickly confessed and maintaine their imputed fault.* How? what needed hearing? O Iust Iudge! He that giveth a right Sentence, yet if he give it  
without

without hearing, is an unrighteous Iudge. *They confessed their imputed Fault* : but did they confesse it to be a Fault? No I warrant you, he can not say it for shame. Or how should *they confesse it in the Face of the whole Christian world?* They are the Christian world themselves, and your Roman world is but a *Microcosme* in comparison of them.

The case is so evident and notorious, that no man can doubt of it. The Continent hath not left *St. Peters Boat*, but *St. Peters Boat* hath left the Continent. The Innovation or swerving from Apostolicall Tradition, was not in the Christian world, but in the Court of *Rome*, who would have advanced their Aristocraticall power to a Sovereign Monarchicall power: but the Christian world would not give way to it; if this were an errour in them, all their Ancestours were guilty of it as well as they. But the Court of *Rome* being conscious to themselves that they were the Innovators, to free themselves from feare of being censured by the Christian World, adventured to give the first blow, by censuring the whole Christian world it self. This was a Bolder Act then that of Pope *Victor* which *Irenaus* misliked so much.

He will never leave his *Socraticall* manner of disputing by Questions; *what certain Rule have we to know, what Sects are of the Church?* Although I needed not, yet I have answered this demand formerly. All those are of the Church who weare the Badge and Cognisance of Christians, that is, the Apottles Creed as it is explicated by the foure first Generall Councells, as all those Churches doe; and have not been cast out of the Church by the Sentence of a Generall Councell, as none of these Churches have; no nor yet by the Sentence of the Roman Church it self, if we may trust the Bishop of *Chalcedons Survey* cap. 8. *Neither doth the Roman Church excommunicate all the Christians of Affrick Asia Greece and Russia, but onely such as doe vincibly or sinfully erre.* He addeth, that *there are innumerable* who are not formall Hereticks, but onely *Hereticis Credemes*. These continue good Christians still, and are Churches still, and ought not to be excluded frō Generall Councells, though supposed to be materially in an error; much lesse being innocent and in no Heresy or Schisme either formall or Materiall.

I pleaded that *though it were true, that all the other Pairiarchs were such Materiall Hereticks*, yet of all others they ought especially to have been summoned. The reason is evident, because they that are sick have more need of the Physitian, then they that are in health. Hence he inferreth, that it is more necessary that Hereticks be called to a Generall Councell, then Orthodox Fathers. Not so, both are necessary, the one to Cure, the other to be cured: but the especiall Consideration or end of a Councell, is for those that erre, that they may be reduced.

I said [the Pope hath not that Authority over a Generall Councell, that the King hath over a Parliament]. He answereth, that *he is so plaine a man, that he understandeth not what the Authority of King or Parliament signifies*. I will help him. The King may dissolve a Parliament when he pleaseth: so may not the Pope a Generall Councell against their wills. If the King dye by whose writ it was called, the Parliament is dissolved: so is not a Generall Councell by death of the Pope. The King hath a Negative voice in Parliament: so hath not the Pope in a Generall Councell.

I urged, that the Proto-patriarchs are not known or condemned Rebels. He answereth first, *this is onely said againe not proved.* He is alwaies stumbling upon the same Block : It doth not belong to me to prove they were not condemned ; but to himself who accuseth them, to shew when and where they were condemned. Secondly he answereth , that *their Errours have been condemned by Councells , and for the most part some of their own party being present.* But the condemning of their errours, is no sufficient warrant for the excluding of their persons out of Generall Councells. Neither were these Councells Generall Councells , or such as had any Iurisdiction over the Protopatriarchs. Moreover , they condemne Papall Errours as well as he condemneth their Errours , whether is more Credit to be given to the Pope, in his own cause charging all the Patriarchs in the world , or to all the other Patriarchs in the world , unanimously condemning his Vsurpations in the name of the Catholick Church?

He demands , *whether there might not be a Parliament of England, without having the fifth part of the Members found in that Councell, and yet be a lawfull Parliament ?* I think there might , if the absence of  
all



all the rest proceeded from their own neglect : but not if it proceeded from want of Summons , as the absence of the Protopatriarchs did.

He bids me *rub up my memory*, he believes I will find an *English Law*, that sixty Members is a sufficient number to make a lawfull Parliament. I have done his Commands, and I know no such law , nor he neither : and then he must be a very confident man to cite such a Law. Perhaps he hath heard of some Ordinance of the House of Commons, how many members at the least must be present at doing of some inferiour Acts: but neither is this Ordinance an English Law , nor that House an English Parliament.

He saith, *I excepted against the Superproportioned multitude of Members out of one Province , which never lawfull Parliament had. Superproportioned* indeed, where there were double the Number of *Italian* Bishops to all the other Bishops of the Christian world, ( this is no equall representative ) : and these assembled thither not to dispute , as he fancieth vainly , but meerly to overvote the *Tramontanes*. A few Bishops had sufficed to relate the Beliefe or Tradition of *Italy*, as well as the rest of the world : but that had  
not

not sufficed to doe the Popes worke, that was, to overswey the rest of the Christian world, with his *Superproportioned multitude* of Italian Bishops. He saith, *perhaps I will pretend, that had the Catholick Bishops out of their Provinces been there, they would have voted against their Fellow Catholicks, in behalf of Luther and Calvin, which were a wise answer.* I heed not much what he calleth wise or foolish: I doe not onely pretend, but I see clearly, that If the Bishops of other Countries had been proportioned to those of *Italy*, they had carried the Debate about Residence and the Divine right of Episcopacy; and that had done the businessse of the Western Church, and undone the Court of *Rome*.

But he quite omitteth the most materiall part of my Discourse, concerning his resemblance between a Parliament and a Generall Councell; That [the absence of whole Provinces and the much greater part of the Provinces, either of *England* or of Christendome, for want of due Summons, doth disable such a Parliament or such a Councell, from being a Generall Representative of the whole.] He might even as well say, that an Assembly of the Peers and Burgessees of *Wales* upon Summons, without any appearance or summons of all the rest of the  
King-

Kingdome of *England*, was a lawfull Parliament of all England : as say the Councell of *Trent* was a Generall Representative of the Christian world, which was never summoned.

I proved, that the Councell of *Trent* was no Generall Councell, because it was not Generally received, no not among the Occidentall Churches : particularly, by the Church of *France* in point of Discipline. He answereth that notwithstanding, *They acknowledge it to be a lawfull Generall Councell, and receive it in all Determinations belonging to Faith.* Adding, that the Disciplinary Lawes of a Generall Councell, doe bind particular Countreies onely in due Circumstances, and according to their Conveniences. But the Contrary is most apparent, that Councells truly Generall, being the Supreme Tribunalls of the Catholick Church, doe bind particular Churches as well in point of Discipline as of Faith. The Generall Councells of *Constantinople* and *Chalcedon*, did set the See of *Constantinople* before *Alexādria* and *Amioch*, And equall it to *Rome*, notwithstanding the Popes Opposition. What Opiniō the King and Church of *France* had of the Councell of *Trent* in those Dayes, appeareth by the solemne Protestation of the French Ambassadour,  
made

Gold.  
10.3.  
pa. 571

made in the Councell in the name of his Master and the French Church, that seeing all things were done at Rome rather then at Trent, and the decrees there published, were rather the decres of Pius the fourth then of the Councell of Trent, We denounce (said he) and protest before you all, that whatsoever things are decreed and published in this Assembly by the mere will and pleasure of Pope Pius, neither the most Christian King will ever approve, nor the French Church ever acknowledge to be the decrees of a Generall Councell.

That the Councell of Trent was not a free Councell I proved, first by the Testimony of Sleidan; secondly by the bitter complaint of the Fathers in the Councell of Trent, that it was guided by the Spirit sent from Rome in a Male; thirdly by the Popes creating not onely new Bishops, but new Bishopricks in the time of the Councell, to make his party able to overvote their Opposers. To the first he saith, that Sleidan was a notorious lying Author of our own side. Who fitter to relate the Grievances of the Protestants then a Protestant? which he did not say in a Corner but published to the world in print, when they might have refuted it if they could. To the second he answereth, that it was a jeering expression. Yes, it was biting as well as jeering

Ridi-

*Fortius & melius magnas plerumque secat res.*

The French Ambassador (whom he thought to passe by in silence) did not jeere; yet he said the same thing in sad earnest. To my third Argument he saith *it is nothing to the purpose*. How nothing to the purpose, for the Pope when his affaires were going retrograde, and his party like to be overvoted; to create new Bishopricks, to ordaine new Bishops, and pack them away presently to the Councell to assist his party, and by that means to gaine a plurality of Voices? Is this nothing to the purpose in his Opinion? It may be he thinkes, that *Italy* had not Bishops enough there, (yet they had two thirds of the Councell before); or that these new Bishops, did understand the Tradition and Beliefe of *Italy* better then all the rest.

If it be his mind to wave the Popes Patriarchall power, I am contented: otherwise his prooffe will not weigh much, unlesse we admit strangers (who know little or nothing of our Privileges, more then we know the *Cyprian* Privilege, before the Councell of *Ephesus*) to be competēt judges, and will interpret a Western Patriarch to be the onely Patriarch of all the west. The Archbishop of Yorke is Primate of Englād,  
and

and yet all England is not subject to his Jurisdiction. Forfeiture and Quitting are two distinct Charges: an Office is Forfeited by abuse, and quitted by assuming a new Office inconsistent with the former; as I have shewed the Papacy and a Patriarchate, that is, a Sovereign and Subordinate power to be. But a Patriarchate and a Bishoprick, being both subordinate to a Generall Councell, are not inconsistent; and much lesse the Office of a King and Master of a Family, the one being Politicall the other Oeconomicall. But an Vniuersall Monarchy by divine right, and the Presidency of a Particular Province by Humane right, are inconsistent; I gave him my reasons for it, and he taketh no notice of them.

He excepteth against my styling Patriarchall Authority, a *Patriarchall Aristocraticall dignity*, which he calleth my *thrice repeated non sense*. It is well he did not make it a Contradiction. His reason is, because a *Patriarchate is a Government by one, an Aristocracy by many*. The answer is Obvious and easy; a Patriarch is a Monarch in the Government of his own Patriarchate, yet subordinate to a Generall Councell; but in a Generall Councell or  
in

in the Governmēt of the Catholick Church, he is but one of the *Optimates*, or a Fellow governour with other Bishops. He saith, *it was never pretended by Catholicks, that the Pope was the King of the Church.* I wonder that he is no better acquainted with the *Sorbone* disputes, whether the Regiment of the Church, be an absolute Monarchy tempered with an Aristocracy.

We have a Meritorious Sacrifice, that is the Sacrifice of the Crosse; We have a Commemorative and Applicative Sacrifice, or a Commemoration and Application of that Sacrifice in the Holy Eucharist. A Suppletory Sacrifice, to supply any want or defects in that Sacrifice, he dare not owne, and unlesse he do owne it, he saith no more then we say.

What I spake of our Registers, I intended principally of that *Register of the right Ordination of Protestant Bishops*, that he may see when he will for his love, and have the Copy of any Act in it for his money: but he had rather wrangle about it then take such paines; if he will have a little Patience I will ease him of that Labour and Expenses. It is no insuperable difficulty nor any difficulty at all to us, to find out that *Catholick Church* which we have in our  
Creed;



Creed : but to find out his *Roman Catholick Church* ; is both a Contradiction in adjecto, and an Apple of Contention , serving to commit him and his Friends together among themselves, which he knoweth and therefore declineth it.

I called not the Ancient Bishops of *Italy* either *Episcopelles*, or the Popes hungry Parasiticall Pensioners; but the Flatterers of the Roman Court , and Principally those petty Bishops, which were created during the Councell of *Trent* to serve the Popes turne. If he think that Court free from such Moths, he is much mistaken. Neither are these expressions mine originally , I learned them from the ancient Bishops of *Italy* themselves, who gave them those very names of *Episcopelles* &c. Neither did I taxe any man in particular.

He desires me to examine my Conscience, whether I doe not get my living by preaching that Doctrine which I put in my Bookes, which how many notorious Falsities, Contradictions, and Tergiversations they have in them, may be judged by this present worke. Yes, if he and his merry Stationer may be my Judges. Now his worke is ended and answered

red, I will make him a faire offer; If he be able to make but one of all his Contradictions, and Falsifications, and absurdities good, I will be reputed guilty of all the rest: if he be not, I desire him both to examine his own Conscience and Discretion, what reward he deserveth both at the hands of God and man, for so many notorious Calumnies. As for his Faults, I shall rather leave them to the Iudgement of the Reader, then trouble myself with the Recapitulation of them.

In the close of my Discourse I answered an exception of his, that *I cited Gerson against myself*. The words of Gerson (or rather of the Eastern Church when they seperated from the Roman) are these, *Potentiam tuam recognoscimus, Avaritiam tuam implere non possumus, Vivite per vos; We know thy power, we cannot satisfy thy Covetousnesse, Live by yourselves*. They knew that he had a Patriarchall power, and that he was the first or chiefe of the Patriarchs: but this power we deny not, that power which we deny, is a Supremacy of single power, and that by Christs own Ordination. The Question is, whether the Grecians did acknowledge such a power due to the Pope in these words. That they did not, I

prove, first by the practice of most of all the Eastern Churches, who excommunicate the Pope yearly as a Schismatick for challenging this power. Secondly, I prove it by the Testimony of all their writers, especially the modern Greeks, as *Hieremy* and *Cyrill*, the two succeeding Patriarchs of *Constantinople*, and *Nilus* an Archbishop &c., who all deny this power to the Pope in the name of the Greek Church. Thirdly, I prove it by his own confession in this very Chapter, *There is no one point produced by him, which our Church looks upon as a point of Faith, in which they dissent from us and consent with the Protestants, except that one of denying the Popes Supremacy.* How? doe they grant the Popes Supremacy and deny the Popes Supremacy, and yet continue the same without Variation (as they have done)? I doe not say this is a Contradiction, but let the Reader Iudge.

His reasons are mere Prevarications, not reasons. First here is no *Opposition between power and covetousnesse*, unlesse he mean all Affirmatives and Negatives (whatsoever be the Subjects or Predicates,) are Opposites; and if they were, it signifieth nothing. Secondly, he demands *what power had the Pope over them except Spirituall Iurisdiction?*

I an-

I answer, he shewed them sufficiently at the Division of the Greek Empire : and then they stood in need of his assistance against the Turke.

His third fourth and fifth Arguments may be reduced to one, and when they are twisted they will not have the weight of one single haire. *The Difference was about undue Subsidies and Taxes, but the Demanding Subsidies seems incredible, had there not been some preacknowledged power to ground such demands upon.* Yes, there was his Protopatriarchall power, and that tentured and stretched out to the uttermost extent : and when he would have extended it yet higher, the Grecians cast out his Vsurpations. I see he doth but grope in the darke, I will help him to some light, *Peter Steward upon Caleca tells him what these undue Subsidies and Exactions were, when the Popes Legates brought yearly the Chrisme from the Apostolick See to Constantinople, they would not depart from thence unlesse they had eighty pound weight of Gold, besides other Gifts bestowed upon them.*

Lastly he addeth, *Gerfon concludes that upon this Consideration, they might proceed to the Reformation of the French Churches, notwithstanding the Contradiction which perhaps some of*

*the Court of Rome would make ; which evidenceth that the acknowledgement of the Popes just power was retained, and encroachments on their Liberties onely denied. Concedo omnia. His Protopatriarchall power was acknowledged, his Sovereignty of Iurisdiction was denied as an encroachment ; and this is the same Method which we observed in England.*

*And so Mr. Serjeant concludes his Rejoinder, that the Bishop began like a Bowler and ends like one of those Artificers, who going to mend one hole, use to make other three. Just Mr. Serjeant, just, As your mind thinketh, so the Bell clinketh. If there be any of those Artificers here, it is yourself, whose constant Custome is to make holes where there are none, and out of an eager desire of Contradicting others, to plunge yourself irrecoverably into reall Contradiction. With Scurrility you began this Rejoinder and with Scurrility you end it.*

*That which followeth is a Dish of thrice foddren Coleworts, or a vain recapitulation of his own Imaginary Achievements, which the Reader hath been troubled withall too often already.*

*I have done with Mr. Serjeants Rejoinder, and have but one short request to the Reader;*

der ; That if he meet with any thing in this Treatise, which is not becomming that Gravity or Civility which one Scholer oweth to another , especially in Theologicall Inquisitions, *Sciat responsum non dictum esse*. He will be pleased to consider, that it is hardly possible to answer so much Petulance, without some Tartnesse. For the future , if *Mr. Serjeant* have any thing to say upon this subje&, let him say it Logically and he will not have cause to complaine that he is neglected : but if he pursue this way of *quibling* and *wording*, (which he complaineth of in others without a cause, and practiseth himself) I shall make bold to cull out and answer whatsoever I Indge materiall , and leave the rest to a younger pen , which will attend his Motions,

F I N I S.